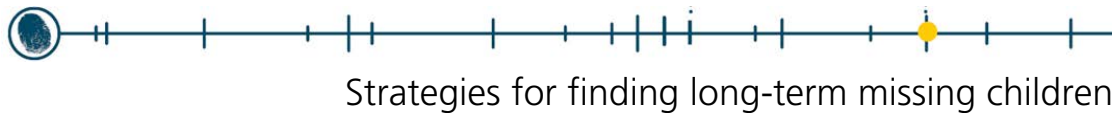


## Long-term missing child guide for law enforcement:



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# **Long-term missing child guide for law enforcement: Strategies for finding long-term missing children**

**2016**

**Edited by  
Robert G. Lowery, Jr., and Robert Hoever**

**National Center for Missing & Exploited Children®  
www.missingkids.org  
1-800-THE-LOST® or 1-800-843-5678  
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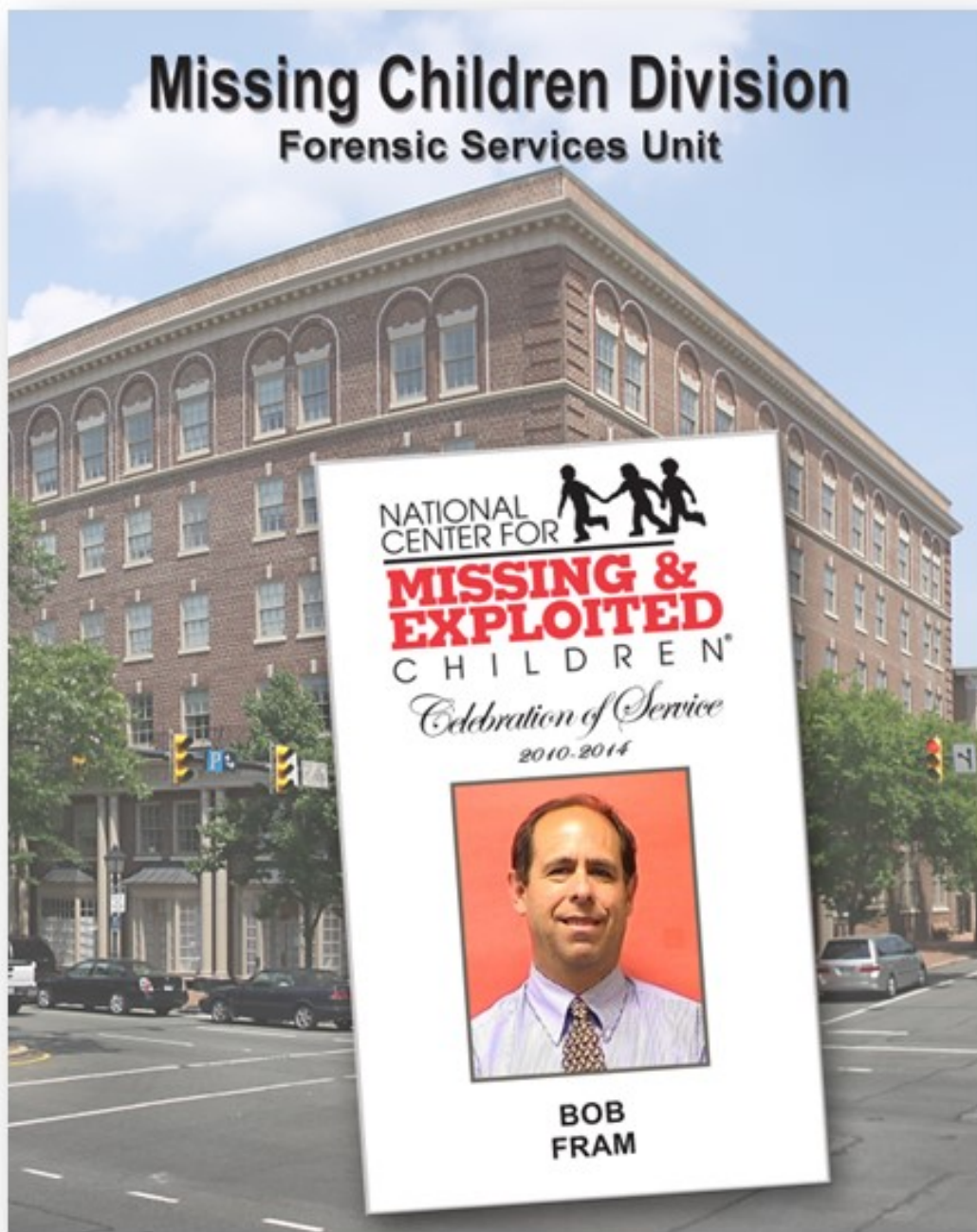
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In memory of Bob “Doctor Bob” Fram, who was our friend, our colleague and our inspiration to look more closely at the evidence in all long-term missing child cases.



## Acknowledgments

In April 2014 the first ever long-term missing children's summit, "Time to Bring Them Home," was held. It focused exclusively on issues and concerns about long-term missing child cases – those particularly wrenching cases when all known investigative avenues have been explored but the child still has not been found. The nearly 200 participants attending the four-day summit included representatives of local, state, tribal and federal law enforcement and criminal justice agencies; specialists in various areas of forensic science; medical and mental health professionals; survivors; victim advocates; and others with experience or specialized knowledge of missing child issues. The purpose of this guide is to provide ideas and strategies for keeping investigations and searches active and finding ways to make progress in missing child cases even after many years have passed since the child went missing.

The National Center for Missing & Exploited Children® or NCMEC thanks all summit participants, as listed beginning on Page 219. In addition NCMEC acknowledges the contributions of the individuals noted below in the design, development and presentation of this guide. The combined experience, skill and expertise of these specialists along with the suggestions, modifications and additions provided by our summit attendees and reviewers, including NCMEC's Office of Legal Counsel, has led to the creation of a comprehensive resource guide for all professionals who are involved in the search for missing children. And we extend a special thanks to Arnold R. Isaacs, editorial consultant, who helped organize all of the information in this guide.

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## Letter

Dear friends in law enforcement:

In 1981 my wife Revé and I had our world torn apart when our 6-year-old son, Adam, was abducted. We were horrified when we realized there wasn't a coordinated effort to find missing children. We had nowhere to turn.

Devastated, angry and frustrated only begin to describe what we felt in those early days. We knew no parent should ever feel as alone as we did. Revé started answering hundreds of letters from parents and families of missing kids, and the idea of the National Center for Missing & Exploited Children was born out of our garage in 1981.

Adam was never a long-term missing child. He was found murdered two weeks after his abduction. While I don't believe in closure, I can't imagine the pain of being a parent of a long-term missing child, living each day without answers.

And for law enforcement, searching for a long-term missing child may be the biggest challenge of your career, and families will depend on you to really help.

These cases are particularly hard because, typically, investigators have already followed up on all their leads and gone down every investigative avenue they can see, but the child still has not been recovered. And months, or even years, have passed – but families won't ever lose hope.

That's why, in April 2014, NCMEC held the first ever long-term missing children's summit, "Time to Bring Them Home." This four-day summit had one main goal – to get some of the most experienced people in missing child cases to roll up their sleeves and figure out a set of best practices law enforcement could use when searching for a long-term missing child. This guide is the culmination of that summit and years of investigative experience from law enforcement and specialists in finding missing kids.

If there's one thing we know for sure, it's that these kids can be found; whether they've been missing six months or 20 years. Throughout your career in law enforcement, you may never be faced with the disappearance of a child. But if you are, I hope the following pages will help in your mission to finally bring that missing child home. Families will expect no less.

Sincerely,

John Walsh

NCMEC co-founder and host of CNN's, "The Hunt with John Walsh"

## Foreword

I have not seen my son since 1989, when he was taken at gunpoint. He was only 11. Wherever you are, Jacob, I will always love you. I will never stop looking for you.

There are many searching families.

We have good days, such as when three women in Cleveland escaped their abductor after a decade in chains – giving us hope that, somewhere, our loved ones are alive and waiting for us.

We have dark days, when human remains are found and we wait, wondering if they will be those of our children.

Through it all, we could not live without the hard work of law enforcement. We at the National Center for Missing & Exploited Children thank you from the bottom of our hearts. We need you, we trust you and you hear us when we call. In 2014, you answered, by assembling at our headquarters in Alexandria, Virginia, for the first-ever long-term missing children summit. We called it “Time to Bring Them Home.”

The summit was inspired by the recoveries of long-term missing children whom doubters didn’t believe were even alive. But as the months and years went by, these brave young people were fighting for their lives against captivity and torture. Today Elizabeth Smart, Shawn Hornbeck, Jaycee Dugard, Amanda Berry, Gina DeJesus and Michelle Knight are free. They have their whole lives in front of them. They can dream, plan, build and go after their aspirations. They give us hope others who have been taken will soon be with us again. They are living proof even in the worst of situations, when all leads are dry and it feels like all hope is lost, we must never, never give up looking for our missing children.

Survivors like Elizabeth, Alicia Kozakiewicz and Katie Beers came to our summit to share the insights they paid for so dearly. It was monumental to be in the room with these amazing people and their families, along with experts including detectives, forensic psychologists, medical examiners — all committed to the ongoing search for the missing. It was magical to see law enforcement sharing stories about what went right and what went wrong in their searches for missing children and what has to happen to rescue those still out there.

Your role as rescuers cannot be overstated. These children may not be able to rescue themselves, even if their captors look the other way, forget to lock the door, or appear incapacitated by drugs or alcohol. They’ve been traumatized, terrified, and often threatened with punishment or death — even told their loved ones will be killed — if they try to escape.



Some of the most heart-wrenching missing children cases involve runaways who've tried to escape difficult homes only to find themselves trapped as slaves in the sex trade. They are sold repeatedly to rapists who commit unspeakable acts upon them. They look to you to understand the issue is not why they went missing, but how much danger they are in now. Our summit attendees developed risk assessment guidelines included in this guide to help you gauge the extent of response needed in each case.

We know we are asking a lot of you. We know your job is not easy and you don't always have the resources you need. We take heart you have an ally in technology. The past quarter-century has brought us cellphones, AMBER Alerts, social media, surveillance cameras and more. Widespread use of these innovations has led to a downward trend in the number of missing children.

Sadly, such progress doesn't mean children are no longer at risk. Those who would harm children are changing their behavior and using the anonymity of the Internet to entrap, hurt and exploit them. They are skilled manipulators. We cannot let down our guard.

This guide, born from the energy and hope of the summit, is our written declaration we will not. It is a huge opportunity to share that energy, that hope, and our promise to Jacob and thousands of other missing children that we will never give up.

It is time to bring them home.

**Patty Wetterling**

Minnesota Department of Health and

Previous chair, Board of Directors, National Center for Missing & Exploited Children

# Chapter 1: Introduction

by Robert G. Lowery, Jr.

## Quick reference

**We are finding more long-term missing children now.....19**

**Are we doing enough?.....21**

Figure 1-1

High-profile case recoveries
<b>Cleveland, Ohio</b>
Late on the afternoon of May 6, 2013, neighbors and passers-by heard screams from behind the locked screen door at 2207 Seymour Ave. in the Tremont neighborhood of Cleveland. A neighbor went to the door and was joined a moment later by another neighbor. Inside was 27-year-old Amanda Berry, clutching a 6-year-old child. The two men helped her break the door open and flee to a house across the street, where she called 911. Her first words to the operator were, "Hello, police. Help me. I'm Amanda Berry." The operator asked what was going on. Berry answered, "I've been kidnapped, and I've been missing for 10 years, and I'm here. I'm free now." <sup>1</sup>
<b>Salt Lake City, Utah</b>
<p>In 2003 Alvin Dickerson thought something looked familiar about the homeless man he saw walking with two females along a street in Sandy, Utah. When he happened to pass the man a second time, it suddenly came to him why he thought he remembered the man's face. It looked like the face on a sketch artist's drawing of the man thought to have kidnapped 14-year-old Elizabeth Smart nine months earlier from her family's home in Salt Lake City, 16 or so miles to the north.</p> <p>Dickerson and his wife, Anita, called law enforcement. So did another couple, Rudy and Nancy Montoya, who also thought they recognized the man. A few minutes later four Sandy police officers approached the man and the two females. The younger female was wearing sunglasses and a wig. One of the officers asked her name, but she remained silent, paralyzed by the memory of the kidnapper's threats to kill her family if she ever told anyone who she was. The officer asked again, and again she didn't answer. One of the other officers quietly said, "She's scared.... She's too scared to even answer. You've got to get her by herself."</p> <p>The first officer gently put a hand on the girl's shoulder, guided her away from the man and the older female, and said in a soft voice, "Are you Elizabeth Smart? Because if you are, your family has missed you so much since you were gone! They want you back. They love you. They want you to come home."<sup>2</sup> Finally the girl answered, "I am Elizabeth."</p>

Officers responding to Amanda Berry's 911 call stepped through the broken screen door at 2207 Seymour Ave. and cautiously climbed the stairs to the second floor. The bedroom door was

<sup>1</sup> The information about this case is summarized from Erin Donaghue, "The Cleveland kidnapping case: A timeline of events," CBS/AP, May 6, 2014, accessed Feb. 1, 2016, [www.cbsnews.com/news/timeline-of-events-the-cleveland-kidnapping-case](http://www.cbsnews.com/news/timeline-of-events-the-cleveland-kidnapping-case).

<sup>2</sup> Elizabeth Smart and Chris Stewart, *My Story* (New York: St. Martin's Press, 2013), 275. The other case information noted in this summary and chapter was compiled from this same source.

slightly ajar and officers saw a frightened young woman staring back at them. Then the door opened wider and Michelle Knight rushed out into the hallway, falling into the arms of one of the officers and repeating over and over, “You saved me.” A minute later Gina DeJesus came into the hallway from another room. On the day of their escape and rescue Michelle Knight had been in captivity for 10 years, nine months and 13 days. Berry had been held for 10 years and 15 days. DeJesus had been held for nine years, one month and four days. Their captor, a former school bus driver named Ariel Castro, was away from the house when the women were freed but was arrested the same day. Avoiding the death penalty, Castro pleaded guilty and was sentenced to life imprisonment. A month after beginning to serve his term, he committed suicide in his prison cell.

Elizabeth Smart’s kidnapper, Brian David Mitchell, was also sentenced to life imprisonment in 2010. Mitchell’s wife, Wanda Barzee, received a 15-year sentence for her role in the kidnapping. In the years since she was rescued on that street in Sandy, Smart has become a highly visible advocate for survivors of abduction and sexual abuse.

Smart, Berry, DeJesus and Knight are not the only names we remember as abduction victims freed after months or years in captivity. Others include Jaycee Dugard who had been missing for 18 years, Shawn Hornbeck who had been missing for four years, Amelia Garcia who had been missing 16 years and Carlina White who had been missing for 23 years. Together these stories are reminders there is always hope for missing children, no matter how long they have been missing. They show why, when a child is missing and not found quickly, we should keep searching for the long term. And they raise the compelling question, “Are we doing enough to find other long-term missing children?”

## **We are finding more long-term missing children now**

Today it is no longer unusual to find children missing after what is considered to be a long period of time, although their recovery circumstances vary and not all recoveries will be high-profile events receiving national media attention. Case records at the National Center for Missing & Exploited Children® or NCMEC indicate recoveries in long-term cases may be more common than many people think. According to missing children reports received by NCMEC between Jan. 1, 2011, and Dec. 31, 2015, 4,821 children were recovered/located after being missing for six months or longer. The majority of these cases involved children who were considered to be runaways when reported missing. This total includes 23 cases of young adults who were older than 18 but younger than 21, known as “5779 cases,” after the Section of U.S. law addressing that age group.<sup>3</sup> Remarkably 444 of those children were found and recovered/located more than five years after they went missing. Almost half of that number – 204 children – had been missing for more than 10 years. Of the 4,821 who were recovered/located, 80 were found deceased. *See* details in the tables below.

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<sup>3</sup> Suzanne’s Law, a provision in the PROTECT Act of 2003 and codified at 42 U.S.C. § 5779(a), extended the same reporting and investigative procedures already provided for children younger than 18 to individuals younger than 21.

To put those statistics in context, as of February 2016 the FBI's National Crime and Information Center or NCIC database had 16,679 entries of missing children who went missing at age 17 and younger who have been missing longer than six months. The vast majority of those cases are from the 1980s through the present. For many reasons, such as record-keeping issues, possible duplicate entries and record cancellations, NCIC data cannot be considered definitive and are not intended for research or statistical purposes. However, they do provide some insight into the scope of the issue.

**Note:** The statistics noted above are presented for illustrative purposes only to indicate the extent of long-term abductions in the U.S. However, the statistics are **not** intended to indicate six months, or any arbitrary measure of time, should be the standard for classifying a case as a long-term abduction, since this is a fact-specific determination. In this guide a missing child case is described as “long-term” **when all substantive leads have been pursued and all potential search sites have been searched but a child has still not been found.**

Figure 1-2

Children reported to NCMEC and missing six months or longer recovered/located between 2011 and 2015		
Missing duration	Number of recovered/located children	Percent of total
6 to 11 months	2,170	45%
1 to 2 years*	1,278	27%
Between 2 and 5 years	929	19%
Between 6 and 10 years	240	5%
Between 11 and 20 years	148	3%
More than 20 years	56	1%
<b>Total</b>	<b>4,821</b>	<b>100%</b>

\*The lower boundary is inclusive while the upper boundary is exclusive. Therefore, children recovered during this period of time were recovered from the 12<sup>th</sup> month through the 23<sup>rd</sup> month.

Figure 1-3

Children reported to NCMEC and missing six months or longer recovered/located between 2011 and 2015 organized by case type		
Case type	Number of recovered/ located children	Number of children located deceased
Endangered runaway	2,891	29
Family abduction	1,820	2
Lost, injured or otherwise missing	67	32
Nonfamily abduction	20	5
Section 5779	23	12
<b>Total</b>	<b>4,821</b>	<b>80</b>

The longest intervals between missing date and recovery/location in each category were:  
 endangered runaway = 47 years; family abduction = 43 years;  
 lost, injured or otherwise missing = 45 years; nonfamily abduction = 28 years;  
 section 5779 = 32 years

## Are we doing enough?

The answer to the question – are we doing enough to find other long-term missing children? – is complex. The response to these cases varies among the estimated nearly 18,000 state and local law enforcement agencies in the U.S.<sup>4</sup> While investigative procedures are generally similar, the levels of priority and the dedicated resources depend on practices, circumstances and decisions in each agency and can differ from one agency to the next. Presently there are no national standards or policies for investigating cases of long-term missing children. With this said it is interesting to point out in the cases mentioned at the start of this chapter, not one of those children was recovered as a direct result of law enforcement investigations specifically assigned to their cases. In those recoveries:

- Amanda Berry, Gina DeJesus and Michelle Knight escaped captivity with the help of bystanders and as a result of their own actions.
- Jaycee Dugard was found after two alert law enforcement officers became suspicious about unrelated actions of her abductor. Their inquiries led to Jaycee's recovery after she had been held in the backyard of the offender's home.
- Elizabeth Smart was found after a composite of the suspected abductor was shown on national TV **without** the consent of the investigating agency. The release of the image resulted in the arrest of the abductor and his accomplice and Elizabeth's recovery.
- Shawn Hornbeck was found and recovered by investigators who were pursuing a different child abduction committed by the same offender.

<sup>4</sup> Brian A. Reaves, *Census of State and Local Law Enforcement Agencies, 2008* (Washington, D.C.: Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice, NCJ 233982, July 2011), 2.

- Amelia Garcia escaped captivity and thought no one was looking for her since so many years had passed. She was recovered after an NCIC data error was corrected and a new search commenced. Through a public record database, analysts found her living in another state.
- Carlina White, having doubts about her true identity, discovered she had been abducted as an infant after finding herself on a missing child poster on NCMEC's website.

These recoveries in recent years demonstrated the need for a summit to discuss ideas and share experiences to encourage rethinking the issue of long-term missing children and the current investigative and search protocols for those cases. The stories of Berry, Knight and DeJesus and other survivors of long periods of captivity tell us that children do in fact survive these traumatic events. Investigators should not immediately conclude the child has passed just because a child has been missing for many months or years. Other possibilities may exist, including the child is being held captive by an abductor or is alive and well in other circumstances. NCMEC's long-term missing children summit titled "Time to Bring Them Home," addressed those questions and many others. The materials contained in this guide reflect those discussions and are presented as best-practice recommendations for agencies to follow when investigating a case of a long-term missing child.

The conventional rule in missing child investigations is – a case should never be closed and the missing person entry should **not** be canceled from the NCIC database until the child has been physically recovered or located. In principle this rule applies regardless of the circumstances or how long a child has been missing. It is unfortunately true the longer the children are gone, the less likely they will be found and safely returned home. However, in nearly every open missing child case there remain unanswered questions and gaps in information about the child's fate. Until these questions are thoroughly answered, or until there is convincing evidence the child is deceased, investigations and searches must continue on the assumption the child may still be alive.

On the positive side, missing children are being found and recovered faster today than any other time in our nation's history. Rapid and immediate response by law enforcement, combined with tougher laws, better law enforcement training, AMBER Alerts and Endangered Missing Advisories, and resources such as the FBI's Child Abduction Rapid Deployment or CARD, local and state Child Abduction Response Teams or CARTs, missing child clearinghouses, and NCMEC have changed the landscape. The change also reflects today's technologies, which have revolutionized the distribution and exchange of information. The Internet, 24-hour news stations, social media and devices such as smartphones can engage the public as the eyes and ears of law enforcement. They have greatly enhanced law enforcement's ability to find missing children. The growing prevalence of video cameras on street corners, buildings and retail stores in nearly every city in the U.S. is another important, if sometimes controversial, change helping investigators quickly find children, identify abductors and in some cases may even deter or prevent abductions.

Most adolescents<sup>5</sup> and many preadolescents now have cellphones making it easier for parents or caregivers to contact them<sup>6</sup> in the event they become delayed, become lost or are missing. Some cellphones have GPS capabilities, which can prove invaluable when searching for a missing child.

The advent of the Internet, social networking sites, instant messaging and certain websites, while very helpful in finding missing children, has also provided new avenues and tools for offenders to victimize children.<sup>7</sup> In other words, even though we are much more able to protect children from abduction and sexual victimization today than we were in the past, the threat still exists. In this new era some offenders are simply changing the way they select and victimize children. Luring, enticement and coercion on social media or the Internet are sometimes taking the place of the stereotypical abductions from public places more prevalently used decades ago. But, even if stereotypical abductions appear to be trending downward, we cannot let our guard down. They still occur, and our children still face these risks.

The partnership among law enforcement, the media and the public created by the AMBER Alert program has played a tremendous role in finding missing children, often at a critical time. The ability of an AMBER Alert to immediately engage the public when a child has been abducted has saved countless lives. As well as being timely, this engagement promotes a healthy understanding within the community that bringing children safely home is everyone's responsibility.

Because of today's more effective law enforcement response to reports of missing children, we presently experience fewer cases of long-term missing children than was experienced in years past. This may reflect better public awareness, training, laws and technology. With more children being found more quickly and returned to safe environments, there are fewer who will remain missing for longer periods. However, there are still children who are missing and remain missing over the long term. These new cases continue to join the thousands of others still remaining unresolved over the past years and decades.

This guide recognizes an underlying paradox, because no long-term case started out as a long-term case, an effective strategy does not start out as a plan for investigating a case which becomes long term. Instead a strategy begins with the initial response to a case **before** anyone knows it will fall into the long-term category. Accordingly our recommendations do not only suggest best practices for investigating long-term cases, but include best practices for new cases as well. This emphasizes the need to be thorough and not miss any opportunities to recover a child so, to the extent possible, new cases will not become long-term cases. Thus we will highlight the

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<sup>5</sup> According to the Pew Research Center, 88 percent of teens in the U.S. ages 13 to 17 have or have access to a mobile telephone of some kind (Amanda Lenhart, "Teens, social media & technology overview 2015," *Pew Research Center Internet, Science & Tech*, April 9, 2015, accessed Feb. 1, 2016, [www.pewinternet.org/2015/04/09/teens-social-media-technology-2015](http://www.pewinternet.org/2015/04/09/teens-social-media-technology-2015)).

<sup>6</sup> TeenSafe, "The concerned parent's guide to tween cell phone monitoring," *Teenology News*, Nov. 7, 2014, accessed Feb. 1, 2016, [www.teensafe.com/blog/concerned-parents-guide-tween-cell-phone-monitoring](http://www.teensafe.com/blog/concerned-parents-guide-tween-cell-phone-monitoring).

<sup>7</sup> For more information about this trend see "A parent's guide to Internet safety," accessed Feb. 1, 2016, [www.fbi.gov/stats-services/publications/parent-guide](http://www.fbi.gov/stats-services/publications/parent-guide).

importance of the initial law enforcement practices and procedures having the best chance of achieving the rapid and safe recovery of missing children. **For additional information about the initial response to missing and abducted children cases please refer to NCMEC's "Investigator's Package" found at [www.missingkids.org/publications/NC13](http://www.missingkids.org/publications/NC13).**

The actions of the first responders, especially how quickly and accurately they assess the risk to the child and the scale of effort and resources employed in the early hours, can often make a difference in whether the child is found quickly or not. What happens in the early stages also builds the foundation for the prolonged search and investigation if a case is not solved quickly. Locating and properly interviewing witnesses while information is fresh in their memory, identifying and securing evidence, and preparing thorough and detailed reports are all vitally important for the effectiveness of a sustained investigation and search. Because the actual risk to a child is not always apparent during the initial stages, it is almost always best to proceed with the worst-case scenario in mind until the facts prove otherwise.

While this guide will focus primarily on long-term investigative tactics and strategies, it will cover the investigative/search process from the very beginning, starting with the initial response and continuing throughout the course of the investigation. This guide is intended to be a compilation of best practices for properly assessing risks to the child, avoiding missed opportunities, identifying and eliminating suspects, employing the best search methods and resources available to agencies at the start of and throughout the investigative process.



## Chapter 2: Overview of missing children cases

by Robert G. Lowery, Jr.; John Bischoff; and Robert Hoever

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Children go missing each day in the U.S. for a myriad of reasons and many are never reported missing. Each investigation will have its own unique set of circumstances and challenges. Cases range from a child who was simply late coming home from school to a child who was taken by a noncustodial parent, a runaway, a child lured by a trafficker or a child who was abducted by a sexually motivated offender. Many child abductions are not witnessed, and there are also children who went missing under unknown circumstances. In some of those cases the missing children are later determined to be victims of abduction; in others the nature of the missing episode remains unknown. With no witnesses, no identified crime scene and little or no physical evidence, these cases can be the most challenging and difficult to investigate.

Time is the enemy in missing child cases. Responding immediately with appropriate resources can be crucial in preventing evidence and key information from being overlooked or lost. The critical importance of an effective initial response was made clear in findings from a key study conducted for the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention by the Washington State Attorney General's office. In the 735 child homicide cases analyzed in the study,<sup>8</sup> nearly half, 46.8 percent, of the **murdered** children were killed within an hour of their abduction, and more than three-quarters, 76.2 percent, were killed within three hours.<sup>9</sup> While those percentages sound gruesome, they pertain only to the very small minority of abducted children who are killed by their abductors. **The number of missing children who are recovered and safely returned home is far larger than those who are abducted and murdered.**

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<sup>8</sup> Katherine M. Brown, Robert D. Keppel, Joseph G. Weis and Marvin E. Skeen, *Investigative Case Management for Missing Children Homicides: Report II* (Olympia, Washington: Office of the Attorney General, State of Washington, and Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice, May 2006), 8.

<sup>9</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 13.

From the minute a child is reported missing, every step and everyone involved in the process is important from the handling of the 911 call to the actions of first responders to the initiation and conduct of the investigation to the deployment of search teams and volunteers. No matter what their role, all involved in a missing child case must be cognizant of potential opportunities, such as facts and key information that may help find the victim quickly enough to spare the child and his or her family the enormous pain and suffering of prolonged victimization and an extended search and investigation.

## Defining long term

What constitutes a long-term missing child case? The long-term missing children summit held at the National Center for Missing & Exploited Children® or NCMEC in April 2014 used this definition:

**A missing child case is considered to be long-term, not necessarily by the duration of the missing episode, but instead when all the substantive leads have been thoroughly followed and all the likely places to look for the child have been searched.**

The length of time a child is missing should not be the sole deciding factor. Rather the totality of the circumstances surrounding the missing episode, such as time, risk factors, substantive leads and viable search locations, should determine the level of response and resources necessary to find the child. The response must be carried out along with a continuing evaluation process, assessing and reassessing the risk to the child at every stage of the investigation and constantly evaluating and re-evaluating the manner in which the search and investigation are conducted. It is important for the facts, or sometimes the lack thereof, to drive the case activity – not theories or assumptions.

## Missing child classifications

When a child is reported missing the responding officer taking the initial report will typically classify the case in broad categories. The categories NCMEC uses, based upon the information available at the time it is reported, are nonfamily abduction; family abduction; endangered runaway; or a lost, injured or otherwise missing child when there is an unexplained missing episode. Endangered runaways may also include subcategories of “children missing from care” and “throwaway children” who generally face heightened risk because of their increased vulnerability for sexual exploitation as well as physical and emotional victimization.

### Definitions used by NCMEC

While these categories may serve as indicators of risk, they can also be misleading as to how much danger a child is actually facing. Therefore, properly assessing the dangers a child is potentially facing is far more important when determining the proper investigative response and resources to allocate.

- **Nonfamily abduction:** The unauthorized taking, retention, luring, confinement or concealment of a child by someone other than a family member.

- **Family abduction:** The taking, retention or concealment of a child by a parent, other person with a family relationship to the child, or his or her agent, in violation of the custody rights, including visitation rights, of another parent or legal guardian. Also referred to as parental kidnapping and custodial interference.
- **Endangered runaway:** A child aged 17 or younger, most commonly a teenager, who is missing of his or her own accord and whose whereabouts are unknown to his or her legal guardian. Endangered runaways include two subcategories of children who may be at increased risk of exploitation, sexual victimization and physical victimization:
  - **Child missing from care:** Although most often reported as endangered runaways, this includes a child who is missing under any circumstances while in foster care, under the legal custody or supervision of a child protective service or social service agency or otherwise a dependent or ward of the state. Because many of these children are at high risk for child sex trafficking and other endangerments, these cases should be treated as critical and given a high priority.
  - **Thrownaway child:** A child whose caregiver makes no effort to recover him or her after the child has run away or failed to return home, who has been abandoned, or who has been asked to leave his or her home and is not permitted to return by a parent or guardian. While not necessarily reported to authorities as missing, children in this category may come to the attention of law enforcement for other reasons.
- **Lost, injured or otherwise missing:** A child who is missing under unknown circumstances, a situation where there are insufficient facts to determine the cause, or a child missing of his or her own accord whose young age or special needs puts the child at increased risk of harm. In these cases the possibilities cover a wide range, from a child who inadvertently wandered away and became lost to a child who was abducted without anyone witnessing the act. These cases sometimes involve “foul play” and deception, or when those reporting the incident are attempting to cover up a crime involving the child.
- **Section 5779:** Missing person cases reported to NCMEC by a law enforcement agency or sworn law enforcement officer when the individual is 18 years of age or older but younger than the age of 21.<sup>10</sup>

Often when a child is missing there is limited information and evidence to follow up; sometimes, none at all. When an abduction is not witnessed, the case may be mislabeled as a runaway, perhaps based on family conflicts or the child’s age and past history. Or investigators may believe it is a runaway case simply because without evidence to suggest otherwise, they assume the situation falls into the large majority of missing children who run away. Public or internal pressure for a rapid evaluation and response can lead to a quick decision a particular child was a runaway unless there is information to the contrary. Sympathy for child victims is often inversely proportional to their age and sexual development; and when older children are involved, it is much easier to imagine they left home on their own. For all these reasons history shows many cases have been mislabeled. The lesson is, in classifying a missing child case, investigators must

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<sup>10</sup> Suzanne’s Law, a provision in the PROTECT Act of 2003 and codified at 42 U.S.C. § 5779(a), extended the same reporting and investigative procedures already provided for children younger than 18 to individuals younger than 21.

be guided by evidence, training and a comprehensive evaluation of the risks to the child **not** by assumptions or preconceived ideas about the case they are investigating.

## **Runaway children**

In the missing child reports received by NCMEC in 2015, a large majority – approximately 86 percent – of the children were reported missing as runaways. Even when children leave voluntarily, it does not mean they are safe, and the situation should not be treated lightly. Frequently they may find themselves in dangerous environments, and at times even life-threatening situations. What starts out as one situation could potentially turn into something different and more dangerous. For example a voluntary missing episode can turn into an abduction if a runaway or lured away child falls into the hands of someone who then prevents the child from leaving.

Law enforcement should take into account the heightened risks many of these children will face. For instance 1 in 5 endangered runaways reported to NCMEC in 2015 were likely child sex trafficking victims.

Some have the perception runaway children tend to return home quickly. However, some children who run away remain missing for days, weeks, months and even years. “[B]eing on their own for even a short period of time may exacerbate the problems that caused the youth to run away in the first place as well as increase their likelihood of engaging in high-risk behavior, being exploited or victimized by others, and resorting to illicit activities in order to secure basic necessities such as food and a place to stay while away from home.”<sup>11</sup> As a reminder, long-term missing child cases are the focus of this guide and these incidents can be initially reported as any case type, including endangered runaway.

## **Risk assessment**

Regardless of the reasons why a child is missing or how the incident is described in the missing person report, a top priority for law enforcement must be to make the best possible assessment of the danger the child is facing. Risk must be immediately evaluated and then continually re-evaluated as long as the child remains missing, because any piece of new information can change the risk assessment at a moment’s notice. The good news is most missing children return home safely in a relatively short period of time. However, law enforcement must not simply assume a child is safe unless there is verifiable, convincing information to support this conclusion. Incorrectly assuming the child is in little or no danger

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<sup>11</sup> Joan S. Tucker, Maria Orlando Edelen, Phyllis L. Ellickson and David J. Klein, “Running away from home: A longitudinal study of adolescent risk factors and young adult outcomes,” *Journal of Youth and Adolescence*, May 2011, 40(5), 507, accessed Feb. 1, 2016, [www.ncbi.nlm.nih.gov/pmc/articles/PMC3021590](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3021590), citing X. Chen, L. Thrane, L.B. Whitbeck, K.D. Johnson and D.R. Hoyt, “Onset of conduct disorder, use of delinquent subsistence strategies, and street victimization among homeless and runaway adolescents in the Midwest,” *Journal of Interpersonal Violence*, 2007, 22, 1156–1183; M.D. Kipke, T.R. Simon, S.B. Montgomery, J.B. Unger and E.F. Iversen, “Homeless youth and their exposure to and involvement in violence while living on the streets,” *Journal of Adolescent Health*, 1997, 20, 360–367; and L.S. Wagner, L. Carlin, A.M. Cauce and A. Tenner, “A snapshot of homeless youth in Seattle: Their characteristics, behaviors and beliefs about HIV protective strategies,” *Journal of Community Health*, 2001, 26, 219–231.

may lead investigators to overlook or dismiss facts, information or evidence that might have led to the quick recovery of the missing child.

Assessing the risk to the child is the most important initial step in responding to a missing child report. This assessment is the key factor in determining the level and type of response. Depending on the child's age and other factors, this process can sometimes be the most difficult and complex for everyone involved in the investigation. Law enforcement may also encounter cases involving missing children from chaotic and dysfunctional home environments, which add additional difficult and complex problems.

Properly assessing the degree and immediacy of risk depends on a variety of factors that may be ambiguous or not always evident. Everything must be considered. When a 5-year-old goes missing from the back yard of his or her home or is seen being pulled into an automobile by an unknown person, it is clearly a highly critical incident requiring a robust law enforcement response. But in other circumstances risk assessment can get complicated or difficult. This is especially so in cases involving older children, a child with a history of running away or behavior problems, or a child who may be emotionally troubled. With incomplete information about the missing episode, it is easy to assume a child in any of these circumstances is probably a runaway who left of his or her own volition and is in little or no danger. This may be true in many instances, but it is a dangerous assumption because there are also some cases when children were in fact abducted or lured by an offender and are at a very high risk of harm.

Even when abduction is not involved, running away places children in an environment leaving them highly vulnerable to victimization by others. Classifying a case as a runaway or family abduction can be misleading if the classification leads investigators to assume too easily the children are probably safe. These children in fact may face great risk of sexual victimization, serious injury, abuse or even death. **In other words, decisions about response to a missing child report should not depend solely on how the case is classified. Report classifications should not minimize the degree of risk to the child. Instead investigators should consider the totality of the circumstances – how long a child has been missing, whom they possibly came into contact with and the overall assessment of risk based on all available information on the case including victimology.** Decisions about what actions to take should be made on a continuum, based on an ongoing, careful and comprehensive evaluation of the facts and circumstances of each case. This approach is the best way to help ensure the appropriate level of response and resources are employed in a timely manner. New information leading to changes in the risk assessment will obviously determine whether additional or fewer resources are necessary for the investigation and search.

Examples of questions investigators should immediately consider when a child is reported missing include:

- Did the child deviate from his or her expected or normal behavior?
- Was there a planned event the missing child was looking forward to and then did not show up for?

- Did the child fail to appear at a regularly scheduled activity or simply not arrive at a place where he or she was expected?
- Does the child have physical, mental or emotional conditions exacerbating his or her risk level?

When investigating the case of a possible runaway child, law enforcement needs to seek to determine if the child made any preparations for sustaining him- or herself for a period of time away from home such as taking money, clothing, cellphone, food or medication. Lack of such precautions may indicate a higher level of risk.

The table below lists other factors in a variety of categories possibly impacting the degree of risk to a child who is missing.

**Figure 2-1**

<b>Factors and categories possibly impacting criticality</b>	
<b>Physical</b>	
<ul style="list-style-type: none"> <li>■ Age of the child.</li> <li>■ Stature and size of the child such as tall, short, slim, husky.</li> <li>■ Disabilities or abnormalities such as: <ul style="list-style-type: none"> <li>• Physical.</li> <li>• Mental.</li> <li>• Emotional.</li> <li>• Sensory.</li> </ul> </li> <li>■ Health: <ul style="list-style-type: none"> <li>• Illness, afflictions or injuries, either long- or short-term.</li> <li>• Surgeries from recent to pending to routine to serious to life-threatening.</li> <li>• Pregnancy.</li> <li>• Medications required and likely side effects or results of missed doses.</li> </ul> </li> </ul>	
<b>Psychological or behavioral</b>	
<ul style="list-style-type: none"> <li>■ Depression.</li> <li>■ Attempts at suicide, past or present.</li> <li>■ Medications for mental health treatment: <ul style="list-style-type: none"> <li>• Type of medication being taken.</li> <li>• Medication side effects on child.</li> <li>• Knowledge of when medication was last taken.</li> <li>• Knowledge of when next doses are required.</li> <li>• Understanding about child's knowledge of medications taken.</li> </ul> </li> <li>■ Any other conditions related to mental health.</li> <li>■ Emotional or behavioral issues such as: <ul style="list-style-type: none"> <li>• Violence or aggressiveness.</li> <li>• Passivity.</li> <li>• Mood swings.</li> <li>• Withdrawal.</li> </ul> </li> <li>■ Behavior considered to be high risk including: <ul style="list-style-type: none"> <li>• Behavior considered anti-social.</li> </ul> </li> </ul>	

- Involvement in criminal activities including:
  - Violence.
  - Gang activity.
  - Nonviolent crime such as petty theft, burglary, motor vehicle theft or vandalism.
- Drug or alcohol abuse.
- History of physical or sexual abuse.
- History or indicators of possible child sex trafficking:
  - Survival sex or sex acts committed to obtain items to survive.
  - Tattoos or markings related to trafficking.
- Stress caused by:
  - Bereavement from recent loss of family member, friend or pet.
  - Relationship change considered to be abrupt or recent.
  - Divorce or breakup of parents considered to be recent in nature.
  - Action recently taken in school of a disciplinary nature such as suspension, expulsion or discussion about poor grades.
  - School situations including bullying. If bullying was experienced by the child, was it in person or online through the Internet and social media. And was/were:
    - School not responsive?
    - Parents not involved or supportive?
    - Trauma experienced from bullying?
  - Education as in is the child's grade level consistent with his or her age?
  - Level of intelligence.
- Disabilities impeding learning or of a medical, mental or emotional nature:
  - Capabilities diminished in any way.
  - Loss of memory.
  - Autism, and if so:
    - Is the child drawn to water?
    - Does the child have a diminished sense of fear?
- Orientation on the lesbian, gay, bisexual, transgender and questioning or LGBTQ spectrum.
- Availability of food and nourishment.
- Clothing adequate for the situation being worn by or in possession of the child.
- Transportation used including a check for stolen vehicles in the surrounding area where the child was last seen.
- Availability of funds.
- Source of any money being obtained.
  - Did the child have money with him or her when last seen?
  - Does the child have access to money through sources such as ATMs, checks, credit cards, gift cards or bitcoins?

### **Situational**

- Language barriers from nonverbal to language(s) spoken.
- Socioeconomic status.
- Exposure to other high-risk situations such as:
  - Use, manufacture, sale or abuse of drugs.
  - Sex trafficking in the home, in the neighborhood, among friends, online or elsewhere.
  - Contact with sex offenders.
- Exposure to nonfamily members living in the home such as the boy- or girlfriend of a parent:
  - Who is involved with the child on a regular basis?
  - What was going on within the home at the time the child was last seen?
  - What relationships are occurring in the home among the parents, mother, father, children and siblings?

- Exposure to crimes within or outside the home such as:
  - Was the child a victim of sexual, physical or emotional abuse?
  - Was the child a victim of violence, such as assault, robbery or rape, outside of the home?
  - Was the child a victim of harassment, stalking, bullying or threats?
  - Was the child a witness to criminal activity?
  - Was foster care or child protective services involved with the family?
- Activity of a criminal nature reported near the home or last known location.
- Activity by gangs reported in the area.
- Reports of crime in the area of any other nature.

#### Environmental

- Weather conditions.
- Terrain and nearby landscapes such as woods, lakes, streams and rivers.
- Population density.

## Social media and text messaging: Aids to assist in assessing risk

Today a majority of teenagers and many younger children rely on social media and text messaging as a primary means of communication with family members and friends. Social media activity or its absence can yield valuable insight about the circumstances and degree of danger a child may be facing. Social media activity, while the child is missing or before, may provide information about why the child may have gone missing, whom he or she may be with, and possibly even where the child may be found. An account remaining active after the child is discovered missing can give significant information about his or her welfare; an account going inactive right after becoming missing can be a warning sign the child may be in immediate danger.

Social media and its use is constantly changing. In addition to such widely known sites as Facebook, Instagram and Twitter, there is an ever-growing number of special interest sites that should be checked for activity, including many which are more familiar to young people. Some agencies have investigators with extensive knowledge about social media who can be consulted for assistance in attempting to locate and examine accounts that might lead to clues about a missing child. The Internet Crimes Against Children or ICAC Regional Task Forces – a national network of more than 60 task forces covering every state in the country – are also a great resource for assistance in this area. To locate the task force in your area and learn how to contact it visit [www.icactaskforce.org](http://www.icactaskforce.org).

## Child sex trafficking and children missing from care

Of the endangered runaways reported to NCMEC in 2015, 1 of every 5 were likely victims of **child sex trafficking**. Among those likely child sex trafficking victims, 74 percent were in the care of social services or foster care when they went missing. This percentage highlights the fact child sex traffickers may tend to target children with a history of childhood abuse, disconnected families and running away.



According to the Child Welfare League of America a child is considered **missing from care** if “he or she is not in the physical custody of the child welfare agency or the person or institution with whom the agency placed the child.”<sup>12</sup> This umbrella category includes children who have run away, are abducted from care or are lost in care. Children in this category are typically already vulnerable due to their history of abuse and/or neglect. As soon as they go missing from care, they may be at higher risk for a myriad of significant and life-threatening dangers. In response child welfare agencies should prioritize such cases, make every possible effort and use every available resource to recover and return the child to a safer environment as quickly as possible.

**Figure 2-2**

<b>Multiple dangers faced by children missing from care</b>		
<b>Physical violence</b>	<b>Sexual violence</b>	<b>Sex trafficking</b>
<b>Disconnection from education</b>	<b>Untreated medical issues</b>	<b>Untreated mental health issues</b>
<b>Unwanted pregnancy</b>	<b>Drug or alcohol abuse</b>	<b>STD/HIV</b>
<b>Malnutrition</b>	<b>Engagement in illegal activity</b>	<b>Gangs</b>

It was already the established policy of many juvenile justice and child welfare agencies that any child who went missing from care should be reported to law enforcement. More recently it has now become a legal requirement to report these children to both law enforcement and NCMEC. Enacted in September 2014, the Preventing Sex Trafficking and Strengthening Families Act requires the states to report each missing or abducted foster child to law enforcement and the National Center for Missing & Exploited Children.<sup>13</sup> The Bringing Missing Children Home Act, a portion of the larger Justice for Victims of Trafficking Act of 2015, was enacted in May 2015. Among other improvements related to record-keeping, this legislation amended federal law to require law enforcement agencies notify NCMEC of each report they receive relating to a child missing from foster care.<sup>14</sup>

<sup>12</sup> Caren Kaplan, *CWLA Best Practice Guidelines: Children Missing from Care* (Washington, D.C.: Child Welfare League of America, 2005), 1.

<sup>13</sup> 42 U.S.C. § 671(a)(35)(B).

<sup>14</sup> 42 U.S.C. § 5780.

## Child homicides

### Initial missing child classifications

In the previously cited analysis of 735 child abduction homicides across the nation, in the majority of those cases the murdered child was initially reported to law enforcement as a missing child.<sup>15</sup> The study authors also concluded, “Often there was no initial indication of foul play.<sup>16</sup> Under these circumstances such cases may be treated as investigations of a missing or runaway child.”

*In [an] ... analysis of 735 child abduction homicides across the nation, in the majority of those cases the murdered child was initially reported to law enforcement as a missing child.*

Experience shows when investigators have no explanation for a child being missing, the child is often **more** likely to be at risk, not less. Therefore, rather than putting less effort and fewer resources into cases where they do not know why a child is missing, law enforcement agencies should instead increase the scale and urgency of their response. The length of time a child is missing without contact or verifiable sightings can itself be a reason for greater urgency in investigating the case.

This is yet another reason why, instead of relying on case classifications to decide how an investigation will be conducted, law enforcement should use the continuing risk assessment approach described earlier in this guide beginning on Page 28. This risk assessment approach recommends continually re-evaluating the level of risk to the child and using this evaluation on an ongoing basis as the principal factor in determining the level of law enforcement resources to be employed. A basic rule of thumb is the longer a child remains missing, the greater the range of risks the child faces.

### Child homicide prosecutions without a body

At times when there has been overwhelming evidence a child was murdered, offenders have been prosecuted even though the remains of the child have not been found, the so-called no-body prosecution. In many of these cases, after a successful prosecution, the missing child entries have been removed from the FBI’s NCIC and the National Missing and Unidentified Persons System or NamUs databases, on the grounds the law enforcement agency has closed the case. This procedure has a major flaw because canceling the database listing shuts off a key path to identifying deceased children whose remains have been located but not yet identified. Some

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<sup>15</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 12.

<sup>16</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 81.

unidentified bodies could be victims of murderers who were convicted in no-body cases — bodies discovered before a trial but never connected to the case or discovered after the trial was over. Without a missing person entry in NCIC or NamUs, it is impossible to compare the remains against those databases for a possible match between the unidentified body and a named missing child. For this reason the missing child's entry should always remain in NCIC and NamUs listings until they have been physically recovered/located, whether or not the criminal case has been concluded. Agencies should consider adopting written policies preventing removal of information about a child from NCIC and NamUs as long as the child remains missing. For a more extensive discussion of issues involving unidentified children, *see* "Chapter 7: The identification of unknown children" beginning on Page 143.

## Chapter 3: Investigative practices, policies and principles

by Robert G. Lowery, Jr.; Robert Hoever; and Richard Leonard

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All too often in older cases, as the parents age or pass on, siblings and extended family members disperse, witnesses move on and memories fade, the investigation suffers the same fate. Over time the intensity of investigative activity will diminish and become less visible. Leads taper off, available information has been followed up and places to search for the child have all been thoroughly searched. Suspects have been investigated to either a point of impasse or eliminated from consideration. The reality is even when law enforcement agency leaders are committed to continuing an investigation and finding the missing child, they have other priorities and other demands on their resources. In many cases it takes the resolve and persistence of families to keep the memory of their missing children alive and law enforcement and the public involved. But this should not be the sole reason for continuing the investigation. Lasting persistence and never giving up hope may bring some of these children home or determine what happened to them even many years after they went missing. Below is an example of a case solved more than half a century after the crime was committed.

Figure 3-1

#### Case summary: Case resolution after 55 years<sup>17</sup>

A woman, distressed by her mother's deathbed confession, tried to contact investigators on several occasions with information pertaining to the murder of an abducted 8-year-old child more than 50 years earlier. Unfortunately her attempts did not result in a successful review of the case. She decided to send the information one last time; this time to a state law enforcement agency. She advised it was the last time she would try because it was bringing up painful and disturbing memories as the offender was her brother. As

<sup>17</sup> This case summary was provided by Illinois State Police Investigations Deputy Director Brion Hanley June 9, 2015. He was the lead investigator in this case.

a result of the investigation being reopened by state police investigators, new evidence was gathered and the offender was arrested and convicted more than 55 years later. Below is a summary of how this crime and the resulting investigation unfolded.

Two girls, 7- and 8-years-old, were playing outside when approached by a young adult male. The man gave the 7-year-old a piggy back ride telling the 8-year-old she was next. The 8-year-old said she had to go home to get her mittens but would be right back. A short time later the 8-year-old girl returned and discovered her friend and the man were gone. The community, and later the entire nation, searched for the missing 7-year-old and mysterious man who was last seen with the little girl.

Within days law enforcement received a couple of tips regarding a man who lived a block and a half from the victim and was regarded as being creepy. The suspect had an alibi. He said on the date the child went missing he was aboard a train en route to take a military enlistment physical and was miles away from the site where the child was last seen. The suspect's mother corroborated his story. The missing child's body was found four months later about 70 miles away. The little girl's death was ruled a homicide. Thirty-six years later the offender's dying mother told her daughter her brother, and the mother's son, was responsible for the crime. The mother's deathbed confession no longer supported the offender's alibi.

As a result of the daughter's insistence, the case was reopened. State police investigators interviewed the suspect's former high school girlfriend. During this interview they asked whether she had photos of the suspect while he was in high school. The former girlfriend retrieved an old photo of herself and the suspect taken when they were dating. While removing the old photo from its frame an unused train ticket hidden behind the picture frame fell to the floor. The former girlfriend had completely forgotten the suspect gave her the train ticket as a memento as she had placed it behind the photo years before. The recovered train ticket proved the suspect was not traveling by train on the date the child was abducted thus discrediting his original alibi.

Investigators later displayed the suspect's photo, among a group of similar looking men in aged photographs, to the victim's 8-year-old friend who now was an adult. The witness selected the suspect's photo out of the array of photos 53 years later and said he was the same man who had approached them and offered piggy back rides. Another person also came forward and identified the offender as giving her a piggy back ride when she was 8 years old around the same time frame. When he refused to release the child, she started crying hysterically. A neighbor noticed and notified the child's father. The father then rescued his daughter. That child, now an adult, was also able to testify. Investigators were able to secure enough evidence for a conviction, closing a case more than 55 years old.

#### **Lesson learned**

As stated by the case's lead investigator, Deputy Director Brion Hanley of the Illinois State Police, "No matter how long time passes the subject responsible for the murder of a child can still be brought to justice. We have to keep in mind, during the investigation, the victims' families live with this unsolved crime daily, which takes a toll on their lives." <sup>18</sup>

Whether a long-term missing child investigation remains active or inactive depends on several factors including the agency's case load and other responsibilities, available resources, and sometimes the availability or lack of new information or leads. Over time the management of the case may follow one of several scenarios. The case could:

- Become dormant not being actively investigated over some period of time and not being assigned to any one particular investigator.

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<sup>18</sup> Illinois State Police Investigations Deputy Director Brion Hanley, interview by author, June 9, 2015.

- Be assigned to an investigator but, through a formal or informal process, is passed along to several successive lead detectives over the years.
- Have been assigned to one lead detective continuously.
- Have been transferred to an investigator within the department's long-term unit if the department has such an entity.

A common obstacle to sustaining long-term investigations is a lack of resources and personnel, especially in smaller agencies. However, assistance is available from many other sources. Departments whose own resources and/or expertise are stretched thin should consider seeking assistance from other local, state, tribal or federal agencies able to support the investigation by providing personnel and resources for a joint task force or similar investigative initiative. In addition the National Center for Missing & Exploited Children® or NCMEC can provide technical assistance in areas such as data management, case review and investigative strategy development, search recommendations and assistance, and case and link analysis.

### **Local CARTs, FBI's CARD, FBI's BAU 3 and additional resources**

Units specializing in missing and abducted child cases providing assistance to local agencies include regional or state Child Abduction Response Teams or CARTs; the FBI's Child Abduction Rapid Deployment or CARD Teams, the FBI's Behavioral Analysis Unit or BAU 3, and NCMEC.

CART is a multidisciplinary team of federal, state, county and local law enforcement who train together to respond to cases involving critical missing and abducted children. For assistance from a CARD Team, local agencies can contact their local FBI field office. If there are no CART teams in the area, an agency can obtain free CART training for law enforcement through the National Criminal Justice Training Center at Fox Valley Technical College. For more information about these training opportunities visit [www.ncjtc.org/AmberAlert/Courses](http://www.ncjtc.org/AmberAlert/Courses).

FBI-CARD Teams are comprised of experienced personnel providing on-the-ground investigative, technical and resource assistance to state and local law enforcement. FBI-CARD Teams are primarily involved in the response to nonfamily child abductions, child abductions involving ransom and mysterious disappearances of children. For more information about FBI-CARD teams visit [www.fbi.gov/about-us/investigate/vc\\_majorthfts/cac/card/card](http://www.fbi.gov/about-us/investigate/vc_majorthfts/cac/card/card).<sup>19</sup>

BAU 3 provides operational assistance to requesting law enforcement agencies investigating cases of missing children, child abductions, sexual exploitation of children and other violent crimes committed against children. As well as providing additional resources for child abduction cases, these teams can also assist with long-term missing child investigations. Assistance may be requested through the local FBI office.

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<sup>19</sup> "Child Abduction Rapid Deployment (CARD) Teams," accessed Feb. 1, 2016, [www.fbi.gov/about-us/investigate/vc\\_majorthfts/cac/card/card](http://www.fbi.gov/about-us/investigate/vc_majorthfts/cac/card/card).

To strengthen law enforcement's response to cases of missing children and clarify the obligations of agencies receiving a missing child report, Congress passed the National Child Search Assistance Act or NCSAA in 1990, and amended it in the years since. Among other provisions, 42 U.S.C. §§ 5779 and 5780 currently mandates the following specific actions:

- Federal, state or local law enforcement agencies will not establish or observe a waiting period before accepting a missing child case.
- All agencies will enter, without delay, reports of missing children younger than 18 into the NCIC Missing Person File.
- All agencies will update identifying information about each case in NCIC within 30 days, including medical and dental records and a recent photograph.
- Each case will receive proper investigative action.
- **All agencies shall notify NCMEC of each report received relating to a child reported missing from foster care.**
- **All agencies shall maintain a close liaison with NCMEC about appropriate cases.**

NCMEC will provide assistance to requesting law enforcement agencies for missing children who were younger than 21 at the time they went missing.<sup>20</sup>

## Management challenges

### Keeping the investigation active

One of the many challenges agency managers face in undertaking a long-term investigation is selecting a lead investigator, with primary responsibility for all case activity and the continuing search for the missing child. Ideally the lead investigator will have experience in investigating child abductions and missing child cases, strong communications and interpersonal skills, a talent for investigative research, and an ability to analyze and connect large amounts of data. The assignment also requires someone who is organized, is detail oriented, and has an ability to handle stressful cases and effectively address highly emotional issues. An effective lead investigator must be a creative thinker and calculated risk-taker who is willing to try new ideas even when failure may be a possibility. And perhaps most importantly this person needs to have great tenacity and an exceptionally strong motivation to work the case to its resolution.

Figure 3-2

Factors management should consider when selecting the lead investigator or case manager	
■	Have a high level of experience and training about child abduction and missing children investigations.
■	Use of a subject matter expert <b>or</b> well-rounded accomplished investigator as preference is determined by the agency.
■	Have management and organizational skills.
■	Have communications and interpersonal skills.

<sup>20</sup> NCMEC intakes reports of young adults ages 18, 19 and 20 pursuant to Suzanne's Law, a provision in the PROTECT Act of 2003 and codified at 42 U.S.C. § 5779(a), which extended the same reporting and investigative procedures already provided for children younger than 18 to individuals younger than 21.

- Be a creative thinker.
- Be open to new ideas or taking on creative and innovative ideas and strategies with the possibility they may fail.
- Be focused on advancing the investigation without crossing legal and ethical boundaries.
- Be motivated and have the ability to work well with others.
- Be tenacious while exhibiting strong investigative and research skills.
- Have a strong work ethic.
- Have organizational and analytical skills.
- Be able to manage high volumes of data and information.
- Have an ability to manage stressful cases and positively address highly emotional issues.

### **Transition of the investigative team**

As a case ages, institutional knowledge about the circumstances and investigation may fade. Many of the original investigators may have retired; passed away; or been reassigned, transferred, promoted or moved to other agencies. When investigators leave a case they often take with them critical information not necessarily found in the case reports, especially information gathered in the early and most critical stages when the investigation was most intense and flow of information may have been chaotic, overwhelming, or mentally and emotionally draining.

Another management consideration is potential burnout or fatigue among the investigative team members especially the lead investigator. A prolonged investigation can bring on a range of emotions including low morale, high fatigue or possibly even feelings of inadequacy from the lack of success. In cases drawing heavy media attention there may be a frustrated and sometimes publicly critical reaction from community leaders and residents demanding a solution. Such reactions reflect anger and outrage at the crime. They also arise from a feeling of vulnerability, a fear if such a crime happened once it could happen again, possibly to one's own child or the child of a relative or acquaintance. This dynamic continues as the case ages.

Media coverage can be another source of pressure on investigators assigned to a highly publicized missing child case, especially when new leads develop with an older case. Self-proclaimed law enforcement experts not assigned to the case, or working with the investigative agency, are often interviewed about their opinions and awareness of investigative strategies, but usually can only offer speculation or guesswork about the particular case since they do not have access to the facts and details of the investigation. Consequently their speculative conclusions or opinions can be, and often are, inaccurate. This may raise unrealistic expectations or leave the public with incorrect or distorted assumptions about the case and investigation. This can cause problems for the investigation itself because media coverage will often influence the nature of leads or tips called in by the public. Management and new investigators transitioning into a case must be aware of these challenges. While engaging the public as the eyes and ears of law enforcement is often vital in finding the child, tips inspired or influenced by faulty information from the media can draw investigators in the wrong direction and divert efforts and resources from more useful leads. A strong partnership between the lead investigating agency and media is the best way to increase the benefit from public involvement and reduce the harm from inaccurate or distracting news reports. Law enforcement officials should remember the time to



establish mutual trust is **before** a headline case occurs, not in the midst of a high-profile and high-pressure investigation. The better the ongoing relationship with local media, the easier it is for a department to head off incorrect or damaging media coverage.

Another source of distraction in a high-profile case comes from the retired law enforcement officers, private detectives, self-proclaimed psychics and self-appointed volunteers who often approach families, without the benefit of working with the investigative agency, with their theories, beliefs and opinions about the case. These volunteers sometimes raise false hope of a quick solution or an easy recovery of the missing child creating an emotional roller coaster for the family. Even when the source is questionable, investigators should follow up on all leads received to determine their validity, especially when a lead purports to give information about sightings of or places to look for the child.

All of these components – the passage of time, public impatience, the media spotlight, emotional strain, the intrusion of opportunistic individuals and groups – collectively place tremendous pressure on investigators to solve a case and find the missing child. However, the reality is some cases may take years to solve despite the best efforts of the investigative team. This can sometimes unfairly reflect negatively on the image of the agency and upon the investigators thus adding to the potential for burnout, fatigue and lowered morale. Investigators and managers cannot let these pressures and challenges prevent them from keeping their efforts focused and prioritizing facts and information to make the best use of available personnel and resources.

**Assumption: Everything that can be done on the case has been done**

It is not uncommon for investigators who have worked on a case for many years to be reluctant to accept additional help or turn over the investigation, in part or fully, to a new lead detective or team of investigators. It is common for an investigator to feel a sense of ownership of a case and a strong desire to be the one, or a member of the team, ultimately solving it. Investigators may also feel asking for help could be interpreted as an acknowledgment they are unable to appropriately investigate or even resolve the case. This sense of personal investment and ownership can be a powerful motivator for keeping an investigation alive. However, it can also lead investigators to believe everything that can be done on the case has been done and suggestions arising from a case review by a fresh set of eyes will have little or no value because every possibility has already been considered and ruled out. Such misplaced beliefs, while also not uncommon, can unwittingly impede the course of an effective investigation. This attitude can lead to an active or passive rejection of new ideas. When investigators feel sure everything has already been tried they are likely to dismiss creative or innovative strategies as a waste of time and may even passively or actively resist supervisory direction.

In many major cases investigators follow false leads to countless dead ends or will find a theory they had formed is flawed or incorrect. At times an investigative team may focus too closely on a particular suspect or scenario without fully considering or examining other possibilities. This phenomenon is commonly called tunnel vision. Such occurrences are frequently inherent in the investigative process, perhaps especially in cases when investigators are working with more than

usual intensity and tenacity because they are determined to find the child and successfully close the case. In prolonged investigations investigators could develop an emotional attachment to a victim's family so the level of intensity and commitment to the case may tend to increase, rather than decrease, over time.

Regardless of the circumstances, case investigators will sometimes leave and be replaced by others. During the transition process it is always beneficial for the new lead investigator and/or team to take the time to review the entire case file and understand the previous investigators' thoughts and views. At the same time new investigators must approach the case with an open mind. They must start out as objective fact finders considering all alternatives, scenarios and possible suspects. The evidence and facts should guide the investigation and not be overly influenced by a theory or any assumptions about suspects or speculation about what may or may not have happened, especially when it comes to the fate of the child. But the transition process, like a comprehensive case review, should not turn into a critique of the investigation or an evaluation of the performance of the previous investigators. This will almost always be counterproductive. Instead the transition must be conceived and conducted as an opportunity to gather information; learn everything already known about the case; evaluate case facts and evidence; and, when possible, collectively formulate a strategy for the continued investigative effort.

Management should convey that any and all positive developments are a success for the team and not attributed to any one individual. This will help counter a feeling of exclusive case ownership by a single person, which can be detrimental to the progress of the investigation.

There is no one-size-fits-all solution for managing a large-scale and long-term investigation. Management may wish to consider rotation of the lead detective after a period of time to avoid some of the problems outlined in this Section. A rotation process may open the investigation to a fresh direction and new ideas. It may also help renew any lagging enthusiasm after years of frustration and disappointment because the case was not solved. However, others believe rotating the lead investigator can hurt morale, lose unreplaceable institutional knowledge or hinder the investigation. For example U.S. Rep. Dave Reichert of the state of Washington, former King County Sheriff and former member of the Green River Task Force, was assigned to investigate a homicide in 1984. This homicide would later be linked to other homicides. The first five victims were found in the Green River resulting in the creation of the Green River Task Force. The long-term investigation resulted in collecting and reviewing more than 10,000 pieces of evidence and following up on more than 40,000 tips and leads. Then 17 years later, in 2001, DNA samples made a match. Management ultimately decided it was best to keep the original investigators because of their institutional knowledge. Gary Leon Ridgeway was ultimately convicted of 49 murders, though he is believed to have killed as many as 65 or more women. According to Reichert the institutional knowledge and dedication of the original investigators was vital to this successful prosecution.<sup>21</sup>

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<sup>21</sup> The Honorable Dave Reichert, interview by author, Dec. 10, 2014.

After giving consideration to the benefits and challenges of rotation, if management determines rotation is best, consideration should be given to keeping the original investigators as part of the investigative team. Their experience and knowledge about the case can continue to be of great value and should remain available to the new team.

### **Going back to the beginning**

A new lead investigator assigned to an old case must be conscious that the most vital information in a case is often gathered earliest – collected in the first days and weeks of an abduction investigation when key information first came to law enforcement’s attention. And this concept has been documented in a key child abduction homicide study.<sup>22</sup> Those may even include the abductor’s name, often appearing as one entry on a long list of possible suspects or in one of many leads identified in the initial stage of the investigation. Because of the urgent need to find a child who may still be alive, the initial phases of the investigation are typically rapid-paced and require rigorously demanding long hours as investigators try to simultaneously follow multiple leads and avenues of inquiry. Sometimes mistakes occur and a suspect’s alibi is not fully checked or an alibi witness lies. Under these circumstances documentation can easily fall short. The intense pressure on their time can compel investigators to postpone preparing reports, especially those on leads or potential suspects they feel can be eliminated fairly quickly. Meanwhile when a lead appears to have headed nowhere, enormous pressure is placed on the investigative team to put it aside and move on to the next promising lead as quickly as possible, thus leaving the reports on previous leads to be written days or weeks later. Sometimes the information gathered to clear a suspect was quite extensive, but if a report was not prepared right away, and then was written in haste because the investigator had already moved on to other leads, much of the detail can be left out. This may not be as troublesome in the early stages when investigators’ memories are still fresh and the number of leads is manageable. But partial or missing documentation is a major challenge when a new team joins the investigation years later and seeks to assess why certain leads or suspects were never investigated or were eliminated. Inadequate documentation, especially concerning the elimination of suspects, is often a key weakness in a long-term investigation, requiring countless hours to be spent reinvestigating the same leads in order to re-evaluate a report and reconsider the priority to be put on the information it contains.

Just as investigating an old case requires going back to the beginning, it also requires taking full advantage of resources available in the present that were unavailable to the original investigators. Innovative investigative techniques, evolving technologies, advances in digital communications, new laboratory and forensic capabilities, case management and analytical databases, and fusion centers as well as other tools that did not exist years ago now make helpful contributions to the efforts in recovering and locating missing children. Examples include:

- Video surveillance systems.
- Facial recognition systems.
- License plate readers.
- Advances in DNA.
- The FBI’s Next Generation Identification system or NGI.

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<sup>22</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 49-50.

- Law enforcement National Data Exchange Program or N-DEx.
- The FBI's Violent Criminal Apprehension Program or ViCAP.
- Automated live scan fingerprint systems.
- Sex offender tracking services and attempted abduction databases provided through NCMEC.
- The U.S. Department of Justice's National Sex Offender Public Website.
- Public and restricted databases with search capabilities such as NamUs and the FBI's Combined DNA Index System, or CODIS, and National DNA Index System or NDIS.
- The FBI Biometric Center of Excellence or BCOE, which strives to deliver state-of-the-art biometric tools and technologies to law enforcement.<sup>23</sup>

When going back to the beginning of the case, carefully consider the case management system used in the early stages of and subsequently during the investigation. It is ideal to use a case management database system at the start of an investigation. Particularly when there is public outreach or an appeal for information resulting in an influx of new leads, this type of system makes it possible to assign all incoming leads for investigation and track investigators' activity, check the current investigative status, and document the final disposition of each lead. When properly used the system helps ensure no lead is missed and no information is overlooked helping to ensure no stone was left unturned in the effort to solve a case and find the missing child.

There are many software programs available today designed to manage complex cases. Some are sophisticated, comprehensive and can be of tremendous benefit in managing a major investigation, but these may require a significant monetary investment as well as extensive training and experience for investigators or analysts to use them proficiently and fully realize their potential. There are also less costly and complex systems requiring little training or familiarization. These versions may be adequate even for major investigations. NCMEC offers the Simple Leads Management system. It is distributed to law enforcement agencies free of charge and may be obtained by contacting [simpleleads@ncmec.org](mailto:simpleleads@ncmec.org) or 1-800-THE-LOST®/1-800-843-5678. It may also be downloaded from [www.missingkids.org/Training/Additional](http://www.missingkids.org/Training/Additional). The FBI has crisis management software available, Operational Response and Investigative Online Network or Orion, which an agency may obtain from their local FBI field office.

These new technologies and capabilities combined with traditional investigative techniques can lead to successful resolution of long unsolved cases and may help bring some long-term missing children home.

Even with new capabilities, the reality is as time passes while a missing child case remains unsolved the resources devoted to the case tend to decrease. Leads are exhausted, evidence and documents may be missing or are misplaced, witnesses and families relocate, and memories fade. In some cases rumors or erroneous and embellished stories evolve over time making it harder to separate investigative fact from community folklore. All of these can become serious distractions

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<sup>23</sup> "Welcome to the Biometric Center of Excellence," accessed Feb. 1, 2016, [www.fbi.gov/about-us/cjis/fingerprints\\_biometrics/biometric-center-of-excellence](http://www.fbi.gov/about-us/cjis/fingerprints_biometrics/biometric-center-of-excellence).

for investigators. Careful and thorough documentation from the beginning of an investigation can be an invaluable aid in avoiding these problems.

**Figure 3-3**

Common challenges to resolving long-term cases
<b>Weaknesses in initial response/investigation</b>
<ul style="list-style-type: none"> <li>■ Failure to accurately assess risk to the child such as by dismissing the report as simply a runaway case in the belief the child is in no danger and will return in a short period of time.</li> <li>■ Failure to preserve the child's home, bedroom or last known location as a potential crime scene.</li> <li>■ Failure to conduct and document a thorough neighborhood canvass and searches for the child.</li> <li>■ Failure to request additional assistance from other agencies and organizations early in the investigation.</li> <li>■ Failure to thoroughly document follow-up investigation on information and leads especially those of suspects and how they were eliminated.</li> <li>■ Failure to document searches performed including areas searched; who searched those areas; what resources were used such as helicopter, specific types of canines used with documented training of each, ATVs, horses; and search chronology. Or investigator and search team use of well-intentioned volunteers, who were not vetted, in a haphazard, unorganized and uninformed manner.</li> <li>■ Treatment of a case involving a child missing from care as a simple runaway episode and failing to recognize the child's higher risk of victimization, exploitation and/or abuse due to this status.</li> <li>■ Failure to consider or recognize child sex trafficking as a possibility in the case.</li> <li>■ Failure to collect biometrics, such as DNA, dentals, medical records, photographs and fingerprints, and, if collected, finding not all information was accurately recorded into NCIC and NamUs.</li> <li>■ Failure to promptly secure and preserve all video surveillance footage in potential crime scene locations.</li> <li>■ Failure to promptly secure and preserve all cellphone and social networking activity.</li> </ul>
<b>General investigative issues</b>
<ul style="list-style-type: none"> <li>■ Lack or loss of institutional knowledge about the case due to investigator retirements, re-assignments, promotions or new employment.</li> <li>■ Lack of cooperation or communication between law enforcement agencies and NCMEC.</li> <li>■ Lack of communication and cooperation among other governmental entities, such as child protective services, social services, schools, and nongovernmental agencies such as nonprofit organizations.</li> <li>■ Lack of updated and complete criminal background checks on <b>all</b> parties involved in missing child cases such as immediate and extended family members, neighbors, witnesses, associates, suspects and volunteer searchers.</li> <li>■ Nonavailability of witnesses due to death, mental deterioration or relocation without proper contact information.</li> </ul>
<b>Technology issues</b>
<ul style="list-style-type: none"> <li>■ Lack of computer forensics and cellphone tracking.</li> <li>■ Failure to digitize old case files and reports into a computerized case management system with search capabilities.</li> <li>■ Failure to digitize other relevant archival files as early as possible in order to preserve data before destruction occurs or before items such as original photographs and reports are inadvertently separated from case files.</li> </ul>

### **Counterproductive agency policies**

- Policies within an agency regarding the destruction of evidence in unresolved cases to preserve storage space. Evidence in long-term cases must be preserved.
- Lack of departmental policies mandating periodic reopening and review of long-term cases.
- Lack of written departmental missing child response policies and a child abduction response plan, including those for 911 telecommunicators, first responders and investigative personnel.
- Cases being closed or inactivated due to the child becoming 18 years of age or when child protective services closes their case on the child.
- Removal of the missing child's entry in NCIC when neither the child nor remains have been found.

### **Shortcomings in long-term investigations**

- Failure to contact and seek assistance from outside agencies involved in the initial investigation, or when a case is reopened for review, which may have retained work-copy files or evidence.
- Failure to provide adequate resources or personnel to investigate long-term missing child cases.

Many of these challenges can be simply avoided through proper preparation and planning for the agency's response to missing children. A report of a critically missing child is like no other major criminal event to strike a community. It typically requires every available resource and the highest level of expertise and talent a law enforcement agency has to offer. When a child is abducted, or a child disappears with no investigative explanation why, the agency will face enormous internal and external pressures for a quick resolution and recovery of the child. Stereotypical nonfamily child abductions may be some of the most difficult types of cases to investigate. Often there are few or no witnesses, no identifiable crime scene, and little or no physical or trace evidence, so finding the abducted child may feel like the proverbial search for a needle in a haystack. Quite commonly an agency will start a search with no more than a description of the child and possibly what he or she was wearing. Those difficulties are only multiplied when an agency fails to prepare for such incidents and then tries to figure out how to react after a child is reported to be missing. Though stereotypical nonfamily child abduction cases may be relatively rare, the seriousness of the offense and the difficulty in solving abduction cases are urgent reasons for thinking ahead and planning in advance the most appropriate and effective responses. To help with this planning NCMEC provides extensive training about the response to child abduction, which is available to law enforcement agencies free of charge. For information about these training opportunities visit [www.missingkids.org/Training](http://www.missingkids.org/Training).

### **Documentation: Case reports and related materials**

When a case transitions to new investigators, comprehensive, organized and quickly retrievable documentation is vital for the new team to conduct an efficient and effective investigation. The quality of reports in the case file, how well they are organized, and investigators' ability to find and retrieve necessary information, in combination, can be one of the most important aspects for a long-term investigation. The availability of thorough, detailed documentation accomplishes two things. First it helps establish all leads and information were properly followed up and nothing was overlooked. Second, in a prolonged investigation, it spares the new team from

having to redo work already done, especially in matters involving suspects, and thus can save countless hours of investigators' time and needless expenses.

Documentary records in long-term cases will fit one of three patterns:

- Vast information. This consists of an overabundance of information, more than any new investigator can possibly expect to read and thoroughly comprehend. Many old cases have generated thousands of reports, leads, evidence and laboratory reports, witness and suspect statements, correspondence, media clippings, and other records, and in many investigations dating back 20 or more years, files are kept in paper form.
- Incomplete documentation. Gaps in a case record can occur for a variety of reasons if, for instance, previous investigators did not complete reports in the first place, reports or documents were filed but then removed from the case file and not returned, documents were lost or misplaced, or files are in a state of disarray or scattered in various locations often with multiple agencies.
- Little or no documentation. Historically this would happen because of the practice in some agencies to purge files and destroy reports and evidence after a certain number of years.

In cases beginning before the advent of computers and automated databases, agencies documented and organized leads and other information in many different ways. Some used 3x5 index cards; others kept records in handwritten notebooks or ledgers with indexes referencing supplemental and investigative reports. Some intensive investigations generated overwhelming numbers of leads in the initial stage and investigators resorted to listing calls and incoming leads on loose scraps of paper or even on the backs of used envelopes. Such fragmentary notations may or may not have relevance to the investigation, but can be a distraction for investigators trying to determine their relevance to the investigation. Some cases may have been managed, at least in the early phase, without any system of numbering leads or reports. In other long-lasting cases, numbering and organizing systems changed, sometimes several times, over the life of the investigation. The changes may have represented well-intentioned efforts by new case managers to organize information more efficiently, but in some cases had the opposite effect serving only to further complicate locating and retrieving the data. When an investigation becomes multijurisdictional, separate jurisdictions may have conducted parallel investigations gathering valuable information that may not have been shared with the lead investigative agency. Thus it is important for **all** information gathered by **all** agencies to be shared and contained in a master file. The lesson is clear. **Gathering information during an investigation, at any stage, is of little or no value if that information is not organized, well documented, shared and easily retrievable.**

Any of these situations poses a significant dilemma for the team assigned to continue the investigation. Surrendering to the circumstances and walking away is not an option. The "Technology" Section later in this Chapter, beginning on Page 84, contains recommendations and suggestions to overcome the various problems outlined above.

## Legacy information: Thoughts about recreating lost, misplaced or destroyed case files

When hunters discovered the remains of a child who had been missing for 20 years, investigators who set out to review the case discovered the original case file had been destroyed. However, the medical examiner's office had copies of the police reports and photos in addition to their own reports. A person of interest had been given a polygraph examination, and the polygraph examiner retained microfilmed copies of test results and reports. A check with crime scene personnel revealed negatives for the photos taken at the crime scene. Local newspapers had archived media reports containing bits of information. One of the original investigating officers, who had retired, was located and recalled many details as well.

This example, although a child homicide, illustrates the same principles about why lost or incomplete case files are not necessarily a dead end for newly assigned investigators on a long-term missing child case. It also shows why it is imperative for the new team to confer with investigators who were previously assigned to the case and obtain their thoughts and perspective about all aspects of the investigation. This is especially helpful when old case records may have been misplaced, reports were not completed, or documents were purged and destroyed by the agency. It is not unusual to find former or retired investigators have retained their own personal files about high-profile cases including duplicate reports, notes of interviews with witnesses and suspects, photographs, news clippings, and any information not documented in the original case file.

In addition to the original investigative files, many other sources of historical information may be useful in reviewing an old case such as newspapers, magazine articles, books, movies or other literary publications and archived video from local news stations. Even if a newspaper has not preserved original copies, investigators can frequently find copies of old stories through local newspaper publishing companies, if still in business; in local libraries, at colleges and universities; at research facilities; at historical societies; and in state archives or repositories.

Figure 3-4

Resource: Old newspaper articles	
Old newspaper articles can be an excellent source of information including:	
Case details	
<ul style="list-style-type: none"><li>■ Information about the victim including date and place of birth, age, address, schools attended, employment, marital status, activities and accomplishments.</li><li>■ Accounting of the weather, circumstances and site when and where the body was located.</li><li>■ Name of the person who discovered the child missing.</li><li>■ Name of the reporting person.</li><li>■ Manner or cause of death, and name of the person who found the body.</li><li>■ Location and description of wounds or type of weapon used.</li><li>■ Description/photos of the crime scene.</li><li>■ Information about the date and time the crime was reported to law enforcement.</li></ul>	



- Names and addresses of witnesses and friends or associates of the victim.
- Names and addresses of teachers, classmates, co-workers or employer.
- Information about victim's past or current relationships.
- Identity of those who may have last seen the victim.
- Names of law enforcement officers and investigators.
- Names of coroners or medical examiners.
- Location where the remains were transported.
- Accounting of victim's activities before his or her being missing.
- Details of other similar crimes in the area.
- Identities of people of interest in the case.
- Statements made by friends, associates and others.
- Name of the article's author.
- Description of evidence or property seized by law enforcement.
- Details of a coroner's or medical examiner's findings.

**Accurate photographs and graphics, such as crime scene diagrams, showing:**

- Images of people connected with the victim or crime often identified by name, occupation or address.
- Weapons.
- Depictions of the crime scene.
- People present at the crime scene.
- Images of potential witnesses or potential suspects in a crowd.
- Scenes relating to similar crimes or attempts in the area.

Investigators should seek to find out who took the photographs because freelance photographers or members of the public often provide photographs to newspapers.

Film and video segments may be available in raw footage from news organizations. In some circumstances, involving confidential sources for instance, a news organization may withhold unaired footage unless compelled by a court order or subpoena. However, media organizations are often willing to cooperate with investigators' requests. For example, in one case of which the author is aware, a father reported his daughter was abducted and the media voluntarily provided law enforcement with the raw footage because they suspected the father was not being forthright. Images and other available material may include film or videotape of events connected with a case or transcripts of reports from news crews at the scene of an event and broadcast scripts used by an anchor in the studio. Public information officers or PIOs within law enforcement agencies may have a relationship with certain news agencies or reporters and could provide assistance to the investigator when making such requests to media organizations. If available those videos should be carefully reviewed in search of clues such as an off-the-cuff remark that, in retrospect, could be a direct or tacit admission or contradictory or inconsistent quotes from the same person or other material pointing to a possible need for further investigation.

Depending on the media coverage of the case, it is worth searching to see if any articles or stories have appeared in a magazine, book or documentary. When portions of the case are missing or destroyed, such accounts, typically longer and more detailed than a news report, often have useful information about names, events and other facts about the crime. Or they can be

accompanied by photographs that may be helpful for investigators. In addition investigators should find out if someone involved in the original case or subsequent investigation has authored his or her own account or has collected published material or unpublished manuscripts. Any such material should be compared to known facts or information regarding the case.

## **Verifying information from sources such as cyber sleuths, bloggers and questionable witnesses**

Everyone is aware there may be posts on websites, social networking sites, blogs or other Internet sites regarding law enforcement investigations. From time to time an older high-profile case will attract the attention of amateur cyber sleuths and bloggers who collect and post more detailed information about the case from various sources. Investigators should not automatically dismiss information simply because it originates from an amateur or untested source. Rather the investigator should take the time to review such postings and possibly make use of them as pointer information, typically names of potential witnesses or informants who might have valid and relevant information. This information should be followed up and evaluated by law enforcement professionals. There have been cases when information from cyber sleuths has proven helpful in a long-term investigation. Interestingly some offenders may access such sites to gain information about the investigation or satisfy their curiosity.

Rather than quickly dismissing information when there are doubts about a source's credibility or apparent inconsistencies in statements or factual detail, investigators should take the time to verify information before drawing any conclusions. Sometimes reports initially seeming questionable turn out to be accurate. This is illustrated by a case known to the author in which a child was reportedly abducted from a mall, sexually abused and then brought back to the same area where she had been seized. Video surveillance tapes from the location and the time the girl described did not show her abduction, so her account of the crime was not believed and the case was closed as unfounded. However, the child's parents, believing their daughter was telling the truth, contacted mall security again and eventually found the time was set incorrectly on their surveillance camera video. Once this discrepancy was identified, the family showed investigators where to find the correct portion of the tape. The images on the tape did show the abduction and corroborated their daughter's account of the incident.

In another case known by the author a mother reported her 11-year-old son had been sexually victimized by a man who was a carpet installer at a local mall. The offender took the child on a number of occasions to various locations where he performed sex acts on the child, took photos of the child and then returned the victim to the original location. Even though the mother said the offender admitted his acts to her, investigators did not believe the account of the crime stating the mother lacked credibility. As such they refused to further investigate the case. Because of the mother's persistence, however, the information was finally sent to the missing child clearinghouse in that state. A newly assigned investigator found the offender had previously been convicted of five counts of sexual assault on boys approximately the same age. The new

investigator arranged for the mother to make a pretext telephone call to the offender.<sup>24</sup> On the telephone the offender apologized for taking photos of her child when nude and told her the photos were no longer available as he had destroyed them. He also described the sex acts he performed on the child. The call was recorded as a consensual interception, which is related to one-party consent. When confronted with his taped admissions, the offender confessed to law enforcement and told the investigator where he had hidden the photos, which he had not actually destroyed. The photos were subsequently recovered. In this case the extra effort to verify information initially thought to come from a questionable source led to concrete evidence and the offender's full confession.

While some examples provided here do not apply to missing children, when they are allowed by law, pretext telephone calls or other means to surreptitiously record conversations can be a valuable tool to help investigators obtain confessions or verify alibis, witness statements and other relevant information. However, laws governing such practices differ from one jurisdiction to another. Some states allow one-party consent, which permits electronic recording of conversations as long as one party involved in the conversation consents to be recorded. However, in other states, unless all parties give consent, recording their conversation is a violation of their wiretap laws. Before using any such tactic, investigators should always seek legal advice and guidance from their prosecutors to help ensure all applicable laws are followed.

## **Investigative methodology**

Investigators must locate and organize all reports; evidence; witness statements; photographs; logs related to evidence, search, crime scene and radio communications if applicable; maps; composite sketches; media reports; and any other records pertaining to a case. When becoming involved in an existing, long-term missing child case for the first time, before approaching family members, witnesses or possible suspects, investigators must familiarize themselves with all facts and circumstances surrounding the case and develop an investigative strategy. This can be especially important when investigators are working with a missing child's family. Family members have an understandable expectation law enforcement will be well versed and familiar with every detail of their child's case. The family of a missing child will be emotionally drained no matter what the circumstance, but if an investigator calls the child by the wrong name or is clearly unfamiliar with the case or the family make-up, it unnecessarily adds to the emotional burden the family is already carrying. And of course, if someone in the family is a possible suspect, investigators must take precautions when discussing the investigation with family members.

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<sup>24</sup> For more information about pretext telephone calls see "Pretext phone calls in sexual assault investigations," *Training Key #574* (Alexandria, Virginia: International Association of Chiefs of Police, 2004), [www.theiacp.org/portals/0/pdfs/574PretextPhoneCalls.pdf](http://www.theiacp.org/portals/0/pdfs/574PretextPhoneCalls.pdf).

## Victimology

For purposes of this guide, victimology is considered to be a component of risk assessment and fully examines circumstances in the life of the child including his or her behaviors, the behaviors of those around the child and the behaviors of those who may have come into contact with the child.<sup>25</sup>

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come into contact with the child.*

Victimology plays a key role in investigating a long-term missing case and may provide a link to the offender, a suspect or a person of interest. When properly conducted, a victimology study provides a detailed description equipping the investigator with the fundamental knowledge he or she needs in combination with other factors to conduct a thorough and meaningful assessment seeking to answer the question of what may have happened to the child.

Victimology information starts with a basic physical description, including a child's distinguishing features and mannerisms, but it goes much further as it also strives to identify the pattern of feelings, thoughts and behaviors distinguishing the personality of this child from another child. Victimology encompasses the physical and social environment in which the child lives and interacts and how his or her qualities, traits and habits can influence that interaction. Even in a witnessed abduction, it is still important to develop a victimology study as it may help investigators understand the victim's probable reaction to the crime and perpetrator. It is also important to note victimology must also include defining the victim's baseline behavior. Once a baseline pattern has been defined, the investigator can look for anomalies possibly helping to identify points in time where a child's activities and/or behavior increased the risk of becoming a crime victim.

Naturally with older or more independent children, more complex and extensive victimology factors need to be considered in order to complete a comprehensive risk assessment. For instance gathering victimology information about a missing adolescent must include questions about the child's peer group, interpersonal dynamics and conflicts in the family and school; emotional state; medical history; use of any online communications devices; any drug use; and the like. Failure to explore those questions will result in an unreliable assessment. By the same token, asking the

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<sup>25</sup> Retired FBI Supervisory Special Agent Kenneth V. Lanning, interview by author, Dec. 5, 2014.

right questions of the wrong people can also result in an unreliable assessment. Often, with adolescents, parents may not be the best source of accurate information about what is really going on in the life of their child. It is always wise to survey multiple individuals who interact with the victim in a variety of settings to get a broad-based perspective. Neighbors, teachers, coaches, clergy members, classmates, friends, teammates, siblings and other relatives aside from parents are just a few of the many possible sources who may yield illuminating insight for those collecting victimology information.

With younger victims the focus of a victimology study is narrower, in part because they are developmentally immature and more closely supervised. Because children of preschool age are typically less exposed to outside threats, their victimology will more likely focus on the lifestyles and habits of their parents and caregivers. For instance it would be relevant to the investigation to know a missing child spends the day with someone who sells illegal drugs out of his or her home. From an early age children demonstrate definite personality traits, and it is important to gather information about characteristics such as the child's temperament, level of self-sufficiency, likes and dislikes, inclination to explore, willingness to take risks, and susceptibility to manipulation or threats. All of these things can be factored into the risk assessment.

Collecting this information can be time-consuming, but thoroughly understanding a child's environment, habits and personality is critical for a meaningful risk assessment. There are many excellent questionnaires available to assist in collecting victimology information. "A Child Victim Background Questionnaire" can be found in the appendices Section of the FBI's *Child Abduction Response Plan*, which is available from FBI field offices. The FBI's BAU 3 can assist investigators with the child's victimology.

**Figure 3-5**

Case assessment
<ul style="list-style-type: none"><li>■ Victimology.</li><li>■ Circumstances of the child's disappearance.</li><li>■ Accounts by and descriptions found in statements made by witnesses.</li><li>■ Demographics within child's neighborhood.</li><li>■ Results of searches and investigation.</li><li>■ Statistics about crime in the region.</li></ul>

**Figure 3-6**

Example questions to develop victimology
<ul style="list-style-type: none"><li>■ When and where was the child last seen?</li><li>■ Who last saw the child?<ul style="list-style-type: none"><li>• Has that person been thoroughly interviewed and complete background information gathered?</li><li>• Did the person know the child?</li><li>• If so what was the relationship?</li><li>• Why was the person with the child on that particular occasion?</li></ul></li></ul>

- Who reported the child missing?
  - Was it someone different from the person who last saw the child?
  - If a different person was a thorough background check and interview completed for the person who made the report?
- What is known about any possible delay in reporting the child missing if such a delay occurred?
  - How long was the interval between noticing the child was missing and contacting law enforcement?
  - Was there an explanation or a reason given for the delay?
  - What was being done between the time the child was discovered missing and the time the incident was reported?
- Where was the child going if last seen leaving a certain place?
- What is known about any prior missing episodes?
  - Has the child ever been missing or run away from home before?
  - In such cases where did the child go?
  - How did the child support him- or herself while away from home?
  - Where or with whom did the child stay?
- What was going on in the child's life at the time he or she was last seen?
  - Did the child experience any traumatic events such as a death or serious physical injury of a relative, friend or pet?
  - Does the child have a new set of friends or new interests?
  - Does the child have a boyfriend or girlfriend?
  - What is the status of this relationship?
- Who are the child's friends at work, in the neighborhood and in school? Were they interviewed?
- What interests does the child have such as hobbies or participation in youth organizations from scouting to school and church groups to sports teams? Did the child have separate sets of friends connected with those activities?
- What information was obtained from a complete background check of the child and everyone having access to the child?
- What is known about how happy the child was in general, at home, at school and in all other settings?
  - Was the family dysfunctional in any way?
  - Was the child happy with his or her friends?
- What is known about any possible allegations of physical or sexual abuse within the family? Was the child a victim? If so, by whom?
- What is known about any possible allegations of domestic violence in the home? Was the child a victim or a witness?
- What is known about any possible social service or child protective service involvement with the family or family members?
- What is known about any possible involvement by the child in or exposure to drugs, alcohol, sexual relationships or child sex trafficking?
- What is known about the child's past, present and planned activities/habits? Have they been documented and examined?
- What is known about the child's medical history?
- What was the marital or relationship status of the parents? What was the custody status of the child?
- What is known about a stepparent or a parent's boyfriend or girlfriend residing in the home?
- What is known about the child being a possible witness to a crime? Has he or she testified against an offender or been subpoenaed to testify in the future?
- What is known about any event or occasion the child was looking forward to in the near future such as a school function or trip?
- What is known about any signs of a struggle? **Note:** Lack of signs of a struggle does not automatically indicate the child ran away.
- What is known about any access the child has to a vehicle or friends with access to a vehicle? If so where is that vehicle?
- What is known about the child's access to money?

## **Friends and associates of the victim**

A missing child's close friends, acquaintances and schoolmates may be able to provide the name of a boyfriend, a girlfriend or some other person the child had contact with whom the parents may not be aware of, possibly someone with whom they had forbidden the child to socialize. These potential witnesses may know other things the parents don't know such as a missing child's current friends; breakups; and problems at school such as being bullied, harassed or exposed to other personal problems the child may not have shared with the family. Some of the new friendships or relationships can be perceived by the missing child's peers as positive, so a skilled interview is vital in discussing all new acquaintances. Interviewers need to portray understanding and not be critical or judgmental when interviewing any potential witnesses, friends and family members. Teenagers, especially, often conceal personal or potentially embarrassing information from their parents. Therefore friends, classmates and other acquaintances can be better sources of information about such matters. For this reason investigators should identify as many of a child's friends and associates as possible and take the time to interview them.

A question to ask in every interview is, "Did the missing child ever mention anyone who was suspicious, made him or her feel uncomfortable or creepy, or appeared to be stalking or following him or her?" The importance of asking this question, and not waiting too long to ask it, is shown in a case known to the author of a girl who was interviewed nearly a year after an 11-year-old friend was abducted. When asked, the friend told the interviewers the missing child had told her about two individuals who had been following him from school each day. She remembered he pointed them out to her once while they were on the school bus adding he never told his mother because he did not want her to worry. This was critically important information only obtained when the friend was interviewed and specifically asked. The lesson learned is investigators should never assume children, or any witness, will come forward with information without being first contacted by the investigators and asked or interviewed.

## **Timelines: Determining the window of opportunity**

In complex cases it is highly recommended investigators develop timelines, which can often play an important part in organizing and developing investigative strategies and conducting the investigation. Timelines showing actions and locations of the victim, family members, witnesses, suspects and people of interest can prove invaluable in determining when the child was most vulnerable and what others connected to the case were doing during that interval of time. Once the victim's timeline has been established, subsequent suspect timelines can be compared with it to identify possible interactions between a suspect and the victim.

The most useful timelines begin before the missing episode and span the date and time of last known contact with the victim and a defined period afterwards. They give the fullest possible answers to such questions as: What were the subjects doing? What was happening in the area? Is the timeline information verified? Were the subjects seen at the indicated times and by whom? In verifying an alibi for a potential suspect, are there sources beyond just the word of someone whose memory may be fallible or who may have a relationship with or some reason to protect

the suspect? Electronic and historical records can sometimes be more reliable. Examples include cellphone records, computer records, credit or debit card receipts, store receipts including data from retailer reward card programs or similar programs where cards are scanned when used for a purchase, ATM transaction records, EZ Pass vehicle toll records, license plate images captured by speed cameras or other traffic surveillance devices, digital photographs and surveillance video including commercial and home video. All these records may contain electronically imbedded date, time and location data making the information more precise and useful. The availability of electronic data is far more common now than years ago. Using such data NCMEC analysts can help agencies that wish to create visual timelines useful during case briefings. Timelines may be included in case files for later use. This assistance may be requested at [\\_CAUAnalysts@ncmec.org](mailto:_CAUAnalysts@ncmec.org).

A key goal of a timeline is establishing the window of opportunity, the interval between the time a child was last seen and the time he or she was reported missing. This defines the time during which an offender could have carried out an abduction. This window provides a basis for estimating when and in some cases where the crime took place. Those estimates in turn can help in identifying potential suspects who could have been present at the scene and eliminating others who were verifiably elsewhere. Determining the window of opportunity can also be useful in locating and interviewing potential witnesses and in investigating alibis.

Investigators should be mindful there have been situations in the past when parents or caregivers provided inaccurate information about the time they last saw their child to avoid being viewed as irresponsible or a bad parent. In such cases parents or caregivers may tell the responding officers they were watching the child and only turned their attention away for just a few moments before the child was gone when in fact they had not seen the child for a much longer period of time.

For obvious reasons this kind of deception can seriously mislead investigators. In the worst case, if the window of opportunity was too narrowly defined, it could eliminate a suspect who was in fact the perpetrator. This is what happened in a case known to the author involving a 6-year-old girl when investigators quickly identified a person of interest but then eliminated him as a suspect on the basis of the inaccurately defined window of opportunity. It was later determined the parent misled law enforcement about the last time the child was seen, and more than a decade later the same person of interest confessed to the child's abduction after being arrested for the murder of an adult woman.

Misleading information from parents may have nothing to do with concealing a crime or information about the child's missing episode and is only intended to preserve the image of a good parent or caregiver. But this may unintentionally hamper the investigation and search for the child. Investigators should also keep in mind there have been cases when parents provided false information about an abducted or missing child to hide the fact they either killed the child or were somehow involved with the missing episode. A NCMEC examination of AMBER Alerts



from 2005 through 2012, indicates there were at least 12 cases in which family members provided false information regarding a child's missing episode in an effort to hide the child's murder.<sup>26</sup>

The FBI's BAU 3 conducted research on 66 offenders involving 71 victims in which the child victim was falsely reported to law enforcement as missing or abducted, when the offender had already killed the child or left the child for dead at the time of the report.<sup>27</sup> Their research found the single most significant indicator of a false allegation case is the age of the victim. While false allegation cases can occur with children of any age, infants and toddlers were at the highest risk for family victimization and false allegation. More than two-thirds of the victims were younger than 5 years of age. It is interesting to note these results contrast with cases of actual nonfamily abduction homicides, in which the victims are generally older, averaging between 11 to 12 years of age.<sup>28</sup> For more specific information law enforcement should read *False Allegation of Child Abduction A Handbook for Law Enforcement Investigators*, which can be obtained from Law Enforcement Online or LEO by contacting their local FBI field office.

Other possible sources for determining the window of opportunity for an abduction include such potential witnesses as letter carriers, newspaper or parcel delivery people, sanitation workers, meter readers or others in similar roles who frequently go unnoticed but are regularly in a neighborhood; know the neighborhood well; and may even know the child, the child's family or something about the child's habits and usual whereabouts in the area. One important investigative strategy to consider would be to chronologically reconstruct the entire day the child went missing. This provides the investigators with a better understanding of the events when developing an investigative plan to identify the best areas for neighborhood canvassing and vehicle roadside canvassing.

Many times witnesses may not realize or play down the importance of the information they have, even if they witnessed something directly related to the crime such as a car speeding away from the location where the child was last seen. Such sources are referred to as unknowing witnesses. One key child abduction homicide study found unknowing witnesses appeared in 32.9 percent<sup>29</sup> of the cases studied. In an investigation familiar to the author, a 3-year-old child had been abducted and subsequently murdered. The initial neighborhood canvass failed to identify the offender, however, the neighborhood canvass was repeated five years later and a witness was discovered. That witness told law enforcement about peculiar behavior and comments made by a person known to her when they passed by a memorial for the child. Follow-up investigation found that person was a serial sex offender and ultimately was arrested and convicted of the child's abduction and murder.

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<sup>26</sup> For more information and to view each annual AMBER Alert report visit [www.missingkids.org/AMBER](http://www.missingkids.org/AMBER).

<sup>27</sup> Mark A. Hilts, William H. Donaldson and Yvonne Muirhead, *False Allegation of Child Abduction: A Handbook for Law Enforcement Investigators* (Washington, D.C.: Behavioral Analysis Unit 3, National Center for the Analysis of Violent Crime, Critical Incident Response Group, FBI, March 2013), 4. For more information about 11-year-old victims see Brown et al., *Investigative Case Management for Missing Children Homicides*, x.

<sup>28</sup> Hilts et al., *False Allegation of Child Abduction*, 5.

<sup>29</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 44.

Organizing information into a timeline can also be of vital assistance in identifying additional suspects and victims. NCMEC can be a resource in this area, by comparing the documented activity of an individual identified by law enforcement as a suspect with information from other reports of missing and abducted children. Through public record database searches, NCMEC's Case Analysis Division, available at [\\_CAUAnalysts@ncmec.org](mailto:_CAUAnalysts@ncmec.org), may also be able to provide additional pointer information about a suspect such as activities and approximate locations on certain dates or times. NCMEC's Case Analysis Division could then compare those activities with locations of previously reported missing children. In addition offline searches can be conducted in NCIC to determine whether there has been any law enforcement activity pertaining to the subject. This information can prove helpful in determining the probability of a suspect's involvement and prioritizing the level of interest to the investigation.

Once a timeline about the missing child's activities has been created, investigators can determine high-probability areas for neighborhood searches and/or roadside canvasses. They can also identify stores or business establishments the child may have visited or the routes he or she traveled, which can help in locating potential witnesses or video surveillance recording depicting the child and possibly someone with the child.

When the route a child traveled is known, people who live or work along the route should be contacted to find out if they had any contact with the child and can help narrow the time of day when the child was in the area. Knowing the route will also help in identifying registered sex offenders who live in the area and might be potential suspects. Though some long-term cases may date from the era before sex offender registries were established, up-to-date lists of registered sex offenders can still be searched for possible matches to names of offenders who might have lived in or frequented the area at the time the abduction took place. The U.S. Marshals Service or NCMEC's Sex Offender Tracking Team can assist with maps, locations, timelines and additional information about registered sex offenders. To request assistance from NCMEC call 1-800-THE-LOST or 1-800-843-5678.

Some long-term missing children who become adults while still considered missing may not realize people are still looking for them and may obtain a driver's license, a credit history, employment and utility connections or join social networking sites without having contacted law enforcement or other public safety agencies investigating their cases. Investigators should consider conducting a 50 state regional driver's license check on the child's name as well as other public record database searches. NCMEC can assist with many of these searches. To request assistance call NCMEC at 1-800-THE-LOST or 1-800-843-5678. When a missing child reaches the age that appear in such records, those searches may prove a quick way to find the child and resolve the case.

## **Suspect and witness statements**

When reviewing an original case file investigators must determine how suspect and witness statements were obtained and memorialized such as orally, recorded or written statements. Either

by policy or statute many agencies now require electronic recording of certain statements. These recordings are helpful for continuing the investigation when new investigators are assigned.

If original audio or video recordings from the initial investigation are available, these should be reviewed to help ensure they have not been compromised during evidence storage. Depending on their age and condition, the recordings must be handled carefully to avoid damaging or destroying the contents. It is imperative to preserve the original recording, whether on videotape, cassette or other format, and use a copy for listening or viewing in the follow-up investigation. Obviously records of original statements, whether they are written or recorded, are still considered evidence and must be maintained in accordance with established agency guidelines. With older material it is recommended investigators consult someone with expert knowledge in the safe handling and storage of older recordings. Agencies should also consult with prosecutors about applicable court rulings or statutes pertaining to acceptable alternative storage methods of older recordings.

Revisiting past interviews and re-interviewing suspects or witnesses may present unique challenges. Psychological research supports the possibilities that memories can either fade or become stronger over time depending on recall techniques, the type of information being recalled and other factors.<sup>30</sup> Over time stories can be intentionally or unintentionally embellished, and suspects have had more time to develop a cover story or stronger alibi. Before re-interviewing anyone or interviewing new subjects who were not interviewed earlier, investigators should be thoroughly familiar with the contents of the entire case file and statements by family members, witnesses, suspects or people of interest. In reviewing those statements the investigator should ascertain whether all relevant questions were asked and fully answered and what additional steps are needed to verify information provided in the earlier interviews.

Eyewitness statements, for example, have to be closely examined and evaluated for accuracy, and appropriate best practices must be followed to strengthen their reliability. It must be established whether a witness was in fact present and in a position to see or hear what the witness describes. It is not uncommon for eyewitnesses to give erroneous information, often because they are trying too hard to be helpful or consciously or unconsciously describe what they thought happened rather than what they actually observed, or because of more fundamental limitations and fallibility. One technique potentially helpful in clarifying a witness's account and corroborate details would be conducting a videotaped re-enactment. Re-enactments with witnesses and suspects have proven useful even when they were done days, weeks or months after an event took place.

Before re-interviewing takes place, investigators should obtain updated and complete background information about the suspect or witness including criminal history. Public record

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<sup>30</sup> For more information about this concept see Matthew Hugh Erdelyi, "The ups and downs of memory," *American Psychologist*, 65(7), October 2010, 623-633, accessed Feb. 1, 2016, [psycnet.apa.org/psycinfo/2010-19922-001](http://psycnet.apa.org/psycinfo/2010-19922-001).

databases should be searched for information about the individual possibly relevant to the investigation. Arrest records and investigative files supporting an arrest may give insight into behavioral issues, while activities and patterns of behavior before and after the abduction can be helpful in understanding the person's proclivities or potential capabilities. Investigators should look into past incidents even if the statute of limitations has expired. Investigative files about those incidents may yield important information and clues possibly proving extremely helpful when preparing for the subject's interview.

Depending on the circumstances of the case, relevant information could also include details about where the person lived in the past; where he or she worked; the names and locations of relatives; and the names of associates, neighbors and friends. The criminal history of child abductors sometimes shows a progression from minor offenses to more serious ones. An offender may start out committing acts such as trespassing, peeping or stalking at a level originally considered to be no more than nuisance crimes. Nuisance sex offenses can be part of the evolving process of a child molester developing his criminal skills and overcoming inhibitions. Most incidents are not reported to law enforcement or the offenses often involve minor violations<sup>31</sup> and may not have raised suspicions of more dangerous behavior or intent. There may also be a history of attempted abductions or trying to lure a child. Even when there is no criminal record of this type of activity, some offenders may have carried out this activity in the past. NCMEC maintains information about reports of attempted abductions including suspect and vehicle descriptions and luring techniques, which is an excellent source for background information about possible suspects. In a key child abduction homicide study in 78.5 percent of the cases the offenders had a "recognized and identified history of at least one serious behavioral problem." In 30.2 percent of cases, the "perceived life style" of the offenders was described as "strange."<sup>32</sup>

**Figure 3-7**

<b>Personal problems of the killers in child abduction murder study<sup>33</sup></b>	
Sexual	30.4%
Alcohol	23.8%
Drug	22.3%
Mental	18.4%

<sup>31</sup> Kenneth V. Lanning, *Child Molesters: A Behavioral Analysis for Professionals Investigating the Sexual Exploitation of Children* (Alexandria, Virginia: National Center for Missing & Exploited Children, 2010), 44.

<sup>32</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 23.

<sup>33</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 24.

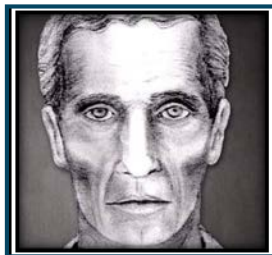
Figure 3-8

Prior crimes killers in child abduction murder study committed against children <sup>34</sup>	
Sexual assault/nonrape	21.0%
Rape or attempt	13.3%
Murder or attempt	10.7%
Kidnap	6.5%
Assault	6.1%

These findings have clear implications for investigators. In formulating questions; conducting neighborhood canvasses; and interviewing witnesses, family members and friends of the missing child, an investigator must keep in mind the chance some aspect of an offender's earlier behavior may stand out and be noticed as suspicious or unusual in the community.

Beyond finding out as much as possible about a person's background and behavior patterns, an investigator preparing to re-interview a witness or suspect can seek expertise in statement or content analysis to examine the interviewee's previous statements or interview records. Such consultants may be able to offer useful guidance about how to assess the truthfulness of a statement or in identifying possible areas of deception when an individual may have given misleading answers, distorted or concealed relevant facts, or directly lied.

## The effect of trauma on bystanders and witnesses



Four months after Elizabeth Smart's abduction her 9-year-old sister recalled a handyman named Emmanuel who had briefly worked at their home. She helped create this sketch of him, which led to the identification of her sister's captor, Brian David Mitchel.

There are times when abductions take place in the presence of one or more witnesses. Some witnesses may observe all or part of the abduction, but, for a variety of reasons, may not realize exactly what they are witnessing. Nevertheless if these **unknowing witnesses** are located and interviewed, they can sometimes provide valuable information to assist in the investigation.

<sup>34</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 24.

Unknowing witnesses rarely suffer the symptoms of trauma, which will be discussed in more detail in “Chapter 5: Child abductions involving long-term confinement” beginning on Page 109.

On the other hand some witnesses, like the younger Smart sister, are very much aware of the seriousness of the event they are witnessing. If the witness was in close proximity to the abduction as it was unfolding, he or she may have also felt physically threatened or endangered during the event. In addition the more emotionally connected the witness is to the abducted victim, the more potential trauma is associated with that experience.

Individuals in close proximity to an abduction may initially experience the intense fear and associated physiological changes resulting in the fight, flight or freeze response, not unlike the victim of the abduction. Once the immediate danger has passed and the witness or bystander has survived the immediate threat, this emergency mode will usually subside, but it can persist depending on the circumstances and context. Mary Katherine, Elizabeth Smart’s sister, who was present when the abductor took Elizabeth, remained in her bed for almost two hours after the abductor left before she was able to sound the alarm. This freeze response and the fight and flight responses represent long-recognized and well-documented coping mechanisms aimed at self-preservation. This will be discussed in greater detail in “Chapter 5: Child abductions involving long-term confinement” beginning on Page 109.

Although most people can appreciate the extreme challenges facing abduction victims as they try to describe the trauma they lived through and cope with the inherent issues of re-victimization, the same sensitivity is not always shown for witnesses and bystanders trying to recount their experiences. When trauma commingles with memory there can be a variety of outcomes, which may be unique to the individual. Memory of the traumatic event can become intensified, distorted, fragmented or lapsed, and many of these reactions can be temporary impairments. Four months after Elizabeth’s abduction Mary Katherine Smart spontaneously gave a name to her sister’s abductor.<sup>35</sup> Veteran investigators, familiar with these pitfalls, maintain a pool of professionals who have specialized knowledge in forensic interviewing techniques and the effects of trauma.

## **Suspect development and elimination**

Child abduction cases often generate a large and sometimes overwhelming pool of possible suspects who must be identified, investigated and either kept under investigation or conclusively eliminated from the suspect list. Except in family abductions or other cases where the offender’s identity is known or there is convincing evidence of a suspect’s identity, at the outset of an investigation **everyone** connected with the case in any way must initially be considered as a potential suspect. This includes a parent, a caregiver, a sibling, a relative, a friend, an acquaintance, a relative of a friend, a registered sex offender in the area, a neighbor, a person in

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<sup>35</sup> Details about the Smart abduction are summarized from Meghan Keneally, “Elizabeth Smart’s younger sister Mary Katherine tells about how she stayed as still as possible on that fateful night so that she wouldn’t get kidnapped as well,” Daily Mail.com, Oct. 5, 2013, accessed Feb. 1, 2016, [www.dailymail.co.uk/news/article-2445328/Elizabeth-Smarts-younger-sister-Mary-Katherine-talks-night-sister-kidnapped.html](http://www.dailymail.co.uk/news/article-2445328/Elizabeth-Smarts-younger-sister-Mary-Katherine-talks-night-sister-kidnapped.html).

the neighborhood considered to be creepy or anyone who had access to or may have had contact with the missing child for legitimate or illegitimate reasons.

Investigators should look for names of volunteers who offered to help in searches or other aspects of the investigation. It is not unheard of for perpetrators to volunteer or contact law enforcement for information about the status of the case. The previously mentioned child abduction-homicide study reported 10 percent of killers injected themselves into the investigation in one way or another.<sup>36</sup> Child molesters with no involvement in the incident may also volunteer, for a variety of complex reasons.<sup>37</sup>

Care needs to be taken to prevent use of any volunteer who could be criminally involved in the case, in order to avoid giving anyone the opportunity to destroy or conceal evidence found at crime scenes or gain insight into the investigation. For instance in one case from the author's experience a perpetrator volunteered to distribute fliers and help with the search. When the perpetrator learned K-9 units were going to be used in the search, he returned home and used ammonia to clean areas where the child was murdered to try to hide any scents left behind.

Investigators on a long-term case should ascertain whether the case file includes records of names and contact information for people who came forward to volunteer and assist with the investigation. If so does the file also document if they were given criminal background checks and required to provide photo identification before being permitted to act as volunteers. If those procedures were followed, the new investigators should obtain the list of volunteers and recheck names to see if any might warrant further investigation. For example if someone later surfaced as a witness, suspect or offender in another crime.

Even when an abduction has been seen by eyewitnesses, their physical and vehicle descriptions may produce a large pool of possible suspects to be traced down and investigated. A key child abduction homicide study revealed in 57 percent of the cases examined, the name of the killer appeared somewhere in the information gathered by law enforcement within the first week of their investigation. In more than 1 out of 5 cases, 21.9 percent, the killer's name came up immediately.<sup>38</sup> That finding shows it is well worth the time and effort for new investigators to understand how suspects were developed, how they were or were not eliminated from consideration, and whether any pertinent information was overlooked or subsequently discovered to help raise new questions about an eliminated suspect.

*A key child abduction homicide study revealed in 57 percent of the cases examined, the name of the killer appeared somewhere in the information gathered by law enforcement within the first week of their investigation.*

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<sup>36</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 41.

<sup>37</sup> Retired FBI Supervisory Special Agent Kenneth V. Lanning, interview by author, Dec. 5, 2014.

<sup>38</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 49-50.

*In more than 1 out of 5 cases, 21.9 percent,  
the killer's name came up immediately.*

Developing criteria for identifying and eliminating suspects is an ongoing process, undergoing constant refinement and change as an investigation progresses. In the earliest stage, when the overriding focus is on finding the child and following up possible sightings, suspect information may develop from initial interviews and immediately available physical evidence. In the following days, weeks or months, as investigators follow leads, new witnesses may come forward as the result of public engagement efforts. And as trace or biometric evidence or other items may have been analyzed, the list of factors for retaining or eliminating a person on the suspect list will continue to evolve.

Factors used to evaluate suspects vary from one investigation to another depending on the facts and circumstances of the offense; available information; and evidence such as suspect and vehicle descriptions, trace or biometric evidence found at the scene, paint transfers, shoe prints, tire tracks, or blood traces or clothing left behind by the victim or abductor. Some procedures can provide conclusive determinations regarding a suspect's involvement. Matches or eliminations based on comparisons of known suspect biometrics to trace evidence discovered at the crime scene, such as DNA, fingerprints, hairs and fibers, are one example. A person may also be conclusively eliminated as a suspect by a credible alibi, confirmed by independently verified work records or possibly incarceration records. Credit card or other electronic records, video recordings or independent witness accounts may also verify the person was in some other location, such as a restaurant, shopping mall, business, workplace or a similar public place, at the time the crime was committed.

In searching for physical evidence investigators must remember in child abduction cases there are typically secondary crime scenes or other areas to be examined beyond the primary crime scene or scenes. Even when a primary scene has yielded little or no physical or trace evidence, useful evidence may be found in a vehicle used in the abduction, on the suspect's body or in his or her residence, in places where the child was taken and held, or at other secondary locations. Therefore biometric samples should always be collected, not just at the primary scene but at every secondary location where it may exist.

To the extent possible evidence such as DNA swabs, fingerprints, dental evidence, hairs and fibers should be collected from every potential suspect for comparison with forensic evidence gathered at primary or secondary crime scenes. Investigators should seek this material as early as possible in their contacts with suspects or people of interest because it is during initial contacts when people are generally the most cooperative with investigators and may be most willing to voluntarily consent to the collection. Prosecuting attorneys should be consulted to determine when a search warrant is required to collect such samples or if signed consent is sufficient.

Biometric data from the child can be important in identifying secondary scenes to be investigated. This may include trace evidence possibly carried on the child's body such as fibers from bedding



or stuffed animals or dolls, pet hairs or carpet fibers from the home or from other family members. Consider collecting anything possibly transferred from the child directly to the suspect or to the interior or trunk of the suspect's vehicle or left at the location where the child was taken. In long-term cases families may still possess a missing child's personal items. These can be used for forensic examinations and comparison with unknown trace evidence recovered in the past.

In reviewing evidence from primary or secondary crime scenes an investigator must determine if proper collection and preservation procedures were followed and if the items of evidence are still available and useful for testing purposes. Improperly packaged or preserved evidence may have degraded over time and may not be suitable for future testing. It is a good practice for investigators to visit the storage facility and meet with evidence custodians to personally determine the existence and current condition of all seized evidence. When possible laboratory experts should be consulted about best practices for long-term preservation or additional testing of evidence including new testing methods or technologies becoming available since the evidence was first collected or last analyzed. "Chapter 4: Evidence review" beginning on Page 96 provides more details about this topic.

Often information about a suspect will not be conclusive, but may be enough to indicate whether the probability of involvement should be considered high or low. In other circumstances the information can only be evaluated after further investigation. For example this can happen when an alibi is provided by a family member or associate who may have some motive to protect the suspect or someone whose own past raises questions. Polygraph results are another indicator requiring additional investigation. A polygraph test showing deception or nondeception can be a helpful tool for investigators, but it should not be used by itself to conclusively identify or eliminate a suspect.

Helpful questions indicating whether a possible suspect warrants further investigation include:

- Was the person's demeanor and behavior immediately before and after the missing child episode recorded? If so what was that demeanor?
- Was there any observed difference in daily routine, work habits or family interactions after the child was missing?
- Did the person do anything to alter his or her appearance?
- Did the person sell a vehicle, junk it, repaint or alter its appearance in any way after the abduction?
- Did the person clean, remove and replace carpet or upholstery in a vehicle or home?
- Did the person miss work on the day of the abduction and/or the following day(s)?
- Did the person relocate or change employment after the abduction?
- Did the person leave the area for a period of time, or permanently, after the abduction?
- Has the person been arrested or suspected of any other crime similar to the one under investigation, either before or after the abduction, such as child abduction, attempted abduction or luring of a child, sexual assault, molestation, or stalking?

- Was the person married and, if so, what is his or her current marital situation? If the person was formerly married, interviewing an ex-spouse can prove to be valuable. Was the spouse or partner physically present in the suspect's residence on the offense date(s)?
- Were polygraph examinations conducted? What were the results, were reports prepared and are they available for re-examination?

Documenting statements and follow-up investigations is critical in a long-term investigation. A common weakness in long-term investigations is a lack of follow-up seeking to confirm or disprove a suspect's alibi. This step might have been easily accomplished at the time the alibi was offered, but it can be nearly impossible years or decades later. An additional problem is whatever was done or not done to confirm an alibi may not have been adequately reported and documented by the original investigators. This can happen particularly when a suspect was eliminated in the early stages of an investigation, when there is a natural tendency not to spend too much time documenting the decision because investigators are under great pressure to move on and focus on the next potential suspect. There is also a risk suspects who were investigated early in the case were eliminated without the benefit of additional information subsequently developed as the investigation progressed. This is another reason why **suspect elimination** by the original investigative team should be reviewed and revisited. If documentation is not available, it may be necessary to speak with previous investigators to determine how the suspect was eliminated and then document this information. This may also prompt a decision to re-investigate for various reasons such as the investigator's recollection of facts may have faded over time or the new investigative team may feel earlier decisions reflected bias toward a person because of personal or outside influences rather than verifiable facts and evidence.

For those who remain possible suspects after case records have been reviewed, a complete picture of the person's history is essential. A thorough background investigation should be conducted on the suspect's criminal history, employment history, credit history, military service record, educational history, driving records and any prior or subsequent investigative reports. The individual should be checked against sex offender and child abuse registries, any other available database records, and Internet social networking sites as outlined above. Additionally interviews should be conducted with relatives, friends, acquaintances, spouses, ex-spouses, significant others, ex-girlfriends or boyfriends and co-workers. Even if those people have been interviewed in the past, such interviews may prove helpful because relationships can change over time and those subjects may change their earlier statements for a variety of reasons or now be willing or able to share additional information. **Note:** Before any re-interview is conducted investigators need to weigh the possible impact on the investigation. For example original interviewees who may have been involved in the crime, when re-interviewed, could conclude they are now suspects in the investigation.

Additional questions to be asked include:

- Is the suspect's location known now?
- Has the suspect been involved in criminal or unusual behavior since the time the child has been missing, and, if so, what is this behavior?

- Is the person currently suspected in other crimes especially those involving a missing child?
- Have crimes, similar to the one being investigated, been committed in areas where the suspect lived or has been associated with?

Official law enforcement records may not answer these questions, so it is advisable to check with investigators in case anyone remembers a person was suspected but never charged. It is also worth asking if the person is or has been a suspect in any crimes involving adult victims. While law enforcement will naturally search for known child sex offenders when a child goes missing, offenders who victimize adults should not be automatically eliminated from consideration. An abductor may initially carry out or attempt abductions or sexual assaults on adults and then turned to younger victims or vice-versa. Offenders may also be nonselective in choosing their victims, possibly targeting those they perceive as easier to control during an attack or abduction or simply victims of opportunity regardless of age. For specific guidance about offender behavior it is strongly recommended investigators contact the FBI's Behavioral Analysis Unit in Quantico, Virginia, at 703-632-4347.

## **Linkage analysis**

The mysterious cases, those in which there is little or no evidence and no apparent explanation as to why the child is missing, are the most challenging. Without reliable witnesses and meaningful evidence, law enforcement should consider alternative approaches or strategies to find the child. One possible approach is to look for possible links to similar crimes committed by a repeat offender in the area or elsewhere. Linkage may be found in data from other known crimes such as the offender's method of operation, mode of transportation and escape route; and other circumstances indicating a possibility the case under investigation is one of a series of similar crimes involving multiple victims within a geographic area or beyond by one or more offenders. If there are such indications, details from other investigations such as names, witness reports, physical evidence, and similar methods used to gain access to victims and similar tactics for avoiding capture or detection may give investigators useful leads in their case. Given their workload and limited resources for their own investigation, it is understandable investigators may be hesitant or resistant to undertake a search for similar crimes in other jurisdictions. Some investigators may feel it is not their job to solve another jurisdiction's crimes, or they may be reluctant to spend time on a case where the statute of limitations has expired. This reasoning might apply if the only purpose were to secure a prosecution in the other jurisdiction, but there is a clear benefit in a linkage analysis that can potentially provide insight and direction in cases when investigators have little else to go on. Serial or multiple offenders do not recognize jurisdictional boundaries. Law enforcement agencies dealing with one of these potential situations must communicate and cooperate across those lines. An offender who has not yet been arrested remains a danger, regardless of where the offenses took place.

Failure to keep an open mind about additional crimes and victims or communicate with other jurisdictions has been referred to as linkage blindness. As defined by one practitioner the term refers to "an investigative failure to recognize a pattern which 'links' one crime with another crime in a series of cases through victimology, geographic region or area of events, the 'Signature'

of the offender, similar M.O. and a review of autopsy protocols.”<sup>39</sup> Lack of communication is at the heart of this issue and “the core of linkage blindness is the lack of or minimal amount of critical communication that occurs between different law enforcement jurisdictions as well as other sectors of the criminal justice system and community at large.”<sup>40</sup>

*...“the core of linkage blindness is the lack of or minimal amount of critical communication that occurs between different law enforcement jurisdictions as well as other sectors of the criminal justice system and community at large.”<sup>41</sup>*

The purpose of this Section is not intended to create an expertise in the area of linkage analysis, but rather to illustrate the importance of communicating, cooperating and consulting with experts in that area such as the FBI’s Behavioral Analysis Unit at 703-632-4347.

Recognizing the need to improve communication, the FBI created the Violent Criminal Apprehension Program or ViCAP in 1985. ViCAP is a database and Web-based tool for law enforcement agencies enabling departments in different areas to link homicides, sexual assaults, missing person cases and unidentified human remains cases from geographically dispersed locations. Using ViCAP allows law enforcement agencies to better coordinate communication and investigative efforts on cases potentially linked to crimes elsewhere.<sup>42</sup> It is recommended all long-term missing-child cases be entered into ViCAP. Law enforcement can access ViCAP through Law Enforcement Online or LEO. Additional methods can be found by going to the ViCAP website at [www.fbi.gov/foia/privacy-impact-assessments/vicap](http://www.fbi.gov/foia/privacy-impact-assessments/vicap).

Even when investigators establish contact with other law enforcement agencies or other units within their own large agencies, sometimes they only seek information about crimes committed against children rather than crimes committed against people of all ages. Even when it appears a suspect has specific age and gender preferences, law enforcement should keep an open mind about other possible victims. Preferences are just that, choices preferred when conditions permit.

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<sup>39</sup> Vernon J. Geberth, “The ‘signature’ aspect in criminal investigation,” *Practical Homicide Investigation, LAW and ORDER Magazine*, 43(11), November 1995, 60.

<sup>40</sup> Heath B. Grant and Karen J. Terry, “Advances in Policing – New Technologies for Crime Analysis,” *Law Enforcement in the 21<sup>st</sup> Century* (New York: Prentice Hall, 2011), 345.

<sup>41</sup> Heath B. Grant and Karen J. Terry, “Advances in Policing – New Technologies for Crime Analysis,” 345.

<sup>42</sup> “Critical Incident Response Group: Investigations & Operations Support,” accessed Feb. 1, 2016, [www.fbi.gov/about-us/cirg/investigations-and-operations-support](http://www.fbi.gov/about-us/cirg/investigations-and-operations-support).

They may not exclude an offender selecting a victim of opportunity with different characteristics if the right conditions are present.

A major mistake investigators sometimes make is putting too much emphasis on suspects with a history of child molesting and not enough on those with a history of social or sexual inadequacies. The social inadequacies could include multiple jobs and failed relationships. The sexual inadequacies could include arrests for nuisance sex offenses and failed assaults of adults. The emphasis should be placed on a suspect's history of methods of access and control of any victims especially any demonstrated need to abduct victims.<sup>43</sup>

*A major mistake investigators sometimes make is putting too much emphasis on suspects with a history of child molesting and not enough on those with a history of social or sexual inadequacies. The social inadequacies could include multiple jobs and failed relationships. The sexual inadequacies could include arrests for nuisance sex offenses and failed assaults of adults. The emphasis should be placed on a suspect's history of methods of access and control of any victims especially any demonstrated need to abduct victims.<sup>44</sup>*

There are many different types of sex offenders and many different reasons why someone decides to abduct a child. Accordingly investigators should keep an open mind about all possibilities including an offender who previously committed less serious or nuisance crimes may not have been investigated as thoroughly as offenders with more significant offenses. When a person is the victim of a nuisance crime, charges against the perpetrator are often downgraded to lesser offenses or even expunged altogether. Therefore investigators are urged to carefully review all law enforcement contacts with a person of interest no matter the age of the victim or in what time frame or how serious the earlier offense may have been. Doing so will better equip investigators to spot possible links to their investigation.

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<sup>43</sup> Retired FBI Supervisory Special Agent Kenneth V. Lanning, interview by author, Sept. 24, 2014.

<sup>44</sup> Retired FBI Supervisory Special Agent Kenneth V. Lanning, interview by author, Sept. 24, 2014.

Any attempted abduction could become a successful short-term abduction, and any short-term abduction could become a long-term abduction. **Solving a seemingly minor attempted abduction case might even result in solving a more significant or high-profile abduction.** Considering the inadequacy of so many child abductors, it is not surprising they might have numerous failed prior attempts.<sup>45</sup>

*Any attempted abduction could become a successful short-term abduction, and any short-term abduction could become a long-term abduction. Solving a seemingly minor attempted abduction case might even result in solving a more significant or high-profile abduction.*<sup>46</sup>

A common motivation for a nonfamily child abduction can be sexual. Therefore the concept of linkage analysis should be applied with particular attention to sex offenders. Information about these offenders may be obtained from different cases and different jurisdictions. As retired Supervisory Special Agent Kenneth V. Lanning of the FBI's former Behavioral Science Unit notes, sex offenders with specific preferences, referred to as preferential sex offenders, typically engage in long-term and persistent patterns of behavior. They typically begin these patterns in early adolescence, committing multiple offenses over extended periods of time, often spending considerable time, money and energy to satisfy their illicit desires.<sup>47</sup>

Over time most offenders develop a MO aimed at successfully committing a crime and avoiding detection and apprehension. To the extent their methods are developed from experience, they can be considered thought-driven behavior. Preferential sex offenders also engage in activities for the purpose of satisfying a need or desire. These are called need-driven or ritual behavior.<sup>48</sup> This behavior differs from MO because while fantasy or need-driven behaviors gratify the offender's sexual desires, they are not aimed at helping to ensure the successful commission of the crime. To the contrary, rather than facilitating the crime, need-driven behavior often increases the chance of identifying, apprehending and convicting an offender.<sup>49</sup> One reason is the offender's sexual behavior often is distinctive enough to be linked to a particular individual. Another is powerful needs can override caution and lead the offender to make careless need-driven mistakes thus increasing his or her chances of being caught. Investigators can take advantage of these dynamics by making sure those statements from witnesses, past victims and other sources of information document as much detail as possible about a suspect's verbal, physical and sexual behavior. This behavior should be reported accurately and explicitly, without sanitizing the offender's actions or language. Exact details can be extremely helpful in linking a suspect to other

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<sup>45</sup> Retired FBI Supervisory Special Agent Kenneth V. Lanning, interview by author, Sept. 23, 2014.

<sup>46</sup> Retired FBI Supervisory Special Agent Kenneth V. Lanning, interview by author, Sept. 23, 2014.

<sup>47</sup> Lanning, *Child Molesters*, 52.

<sup>48</sup> Lanning, *Child Molesters*, 52.

<sup>49</sup> Lanning, *Child Molesters*, 17.

crimes and identifying additional victims. Spouses, ex-spouses and significant others can be an excellent source for pointer information providing insight into the person's personal background and sexual proclivities. It is not uncommon to find a sexual interest in children or other deviant activity was the reason for a marital split in the first place. This information can clearly have relevance to the case under investigation.

"Reports sanitizing or describing, in politically correct terms, an offender's language and sexual behavior are almost worthless in evaluating sex offenses. This is one reason why investigators who cannot easily and objectively communicate about regular and deviant sex have problems addressing sex crimes."<sup>50</sup>

***"Reports sanitizing or describing, in politically correct terms, an offender's language and sexual behavior are almost worthless in evaluating sex offenses."<sup>51</sup>***

Another point worth remembering about known or suspected preferential sex offenders who victimize children is when individuals are identified or even suspected of having a sexual interest in children, they are often asked to leave the area by members of the community or even law enforcement.<sup>52</sup> This may result in frequent and unexpected moves, a pattern investigators may uncover by conducting a regional search of driver's license records for all 50 states and other public record databases and then checking with law enforcement agencies in areas where the person lived.<sup>53</sup>

"In summary the type of linkage analysis discussed above examines behavior factors across several distinct components of a crime. Those are:

- First the MO or the how to of a crime.
- Second the ritual or fantasy-based behaviors for a particular type or series of sexual crimes.
- Third, the signature or unique combination of behaviors suggesting a number of separate crimes were committed by the same offender."<sup>54</sup>

"Conducting this analysis involves five assessment procedures of:

- Gathering detailed, varied and multisource documentation.
- Reviewing the documentation and identifying significant features of each crime individually across the series.
- Classifying the significant features of the crime as either MO and/or ritualistic constructs.

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<sup>50</sup> Lanning, *Child Molesters*, 51.

<sup>51</sup> Lanning, *Child Molesters*, 51.

<sup>52</sup> Lanning, *Child Molesters*, 54.

<sup>53</sup> Lanning, *Child Molesters*, 54.

<sup>54</sup> Robert R. Hazelwood and Janet I. Warren, "Linkage analysis: Modus operandi, ritual, and signature in serial sexual crime," *Aggression and Violent Behavior*, 8, 2003, 588.

- Comparing the combination of MO and ritualistic features across the crimes to determine if a signature exists.
- Compiling a written analysis that details the conclusions derived from the available information.”<sup>55</sup>

## Identifying the crime scene

Identifying the known location where the child was last seen can be a challenge, dependent on credible witness accounts or other evidence, yet helpful. Historically, when the location where the victim was last seen and the initial contact site are identified, the probability of finding potential evidence to help identify a suspect is greatly enhanced, along with the identification of potential witnesses.

**Figure 3-9**

### **Case summary: Video surveillance evidence**

An 11-year-old girl was heading home from a sleepover at a friend’s house when she did not arrive. Using K-9s law enforcement tracked the child’s route and found it ended at a business establishment. Investigators noticed a surveillance camera at the business. When they viewed the surveillance video, investigators saw the image of an adult man confronting the child, grabbing her arm and then leading her away. Now having a crime scene and evidence the child had been abducted, law enforcement issued an AMBER Alert. NASA and the FBI helped enhance the video enabling law enforcement to better see the name tag on the abductor’s shirt and tattoos on his arms. The public became engaged in the search, and several tips led to the identification of the suspect. Further investigation led to the discovery of the child’s body.<sup>56</sup>

When a child is missing, regardless of the circumstances, the child’s room and residence should be promptly searched for any information or evidence possibly related to the missing episode. Biometric samples may also be located and collected, possibly from a child’s hairbrush or toothbrush or other personal effects. Parents may have had fingerprint cards taken at school or a safety event. The parents may also still have the child’s footprints taken at birth. They may also have kept locks of hair from the child’s first haircut, the child’s first lost tooth or other items suitable for DNA testing.

Voicemail of family members’ and close friends’ cellphones should be checked in case the child left a message or attempted to communicate with someone shortly before or after going missing. In searching a child’s room or personal effects, investigators should pay special attention to diaries, journals or other writings made by or in the possession of the child. Blank pads of paper should be checked for indentations showing words or numbers written on torn-off top sheets. Photographs, video recordings, computers, laptops and any other electronic devices used by the child should be examined forensically. Any electronic devices the child had access to should be

<sup>55</sup> Hazelwood and Warren, “Linkage analysis,” 588.

<sup>56</sup> This information is summarized from a case as reported by Stephen M. Silverman, “NASA aids search for kidnapped girl,” People.com, Feb. 4, 2004, accessed Feb. 1, 2016, [www.people.com/people/article/0,,627604,00.html](http://www.people.com/people/article/0,,627604,00.html) and “Suspect arrested in Florida missing girl case,” CNN.com, Feb. 5, 2004, accessed Feb. 1, 2016, [www.cnn.com/2004/US/South/02/04/missing.girl/index.html](http://www.cnn.com/2004/US/South/02/04/missing.girl/index.html).



searched for communications such as instant messages, chat room or social media activity, mapping, address books, photos and emails.

In some cases investigators searching a child's effects have found maps, bus schedules and telephone numbers and names of new or unknown friends or acquaintances. In two missing child cases known to the author the children left initially overlooked suicide notes. One note was on a computer in sleep mode leading investigators to assume the computer was turned off. In the other case a note was written on the mirror in a clear substance only observable from a particular angle or under ultraviolet light.

In long-term cases it is not unusual for parents to leave the child's room untouched or keep all the child's personal effects in storage. Those items can provide additional leads or information about the child's missing episode even years later. The family may have kept dental and medical records, which will now be helpful for identification purposes, or the hospital where the child was born may still have the phenylketonuria or PKU/Guthrie card with the blood sample taken at birth. These samples are an excellent source for a direct DNA sample, especially for children who were adopted and whose biological parents or relatives are unknown and thus not available for DNA collection. PKU/Guthrie cards have been collected since the 1960s and are retained by all 50 states, although for varying lengths of time. A listing of states, locations where PKU/Guthrie cards are maintained and the length of time they are retained can be found beginning on Page 89. All of these avenues should be explored to obtain necessary biometrics such as DNA, dental records, medical records, X-rays and fingerprints. Any such items should be safeguarded with the same chain-of-custody precautions taken with any other item of evidence.

In cases when a crime scene was established and a crime scene search conducted, the investigator should consider the merits of reconstructing the crime scene, as the reconstruction may yield previously overlooked evidence. Reconstruction can also be an effective tool to generate leads through the media. Reconstructing a crime scene, for purposes of a media presentation to generate leads or help ensure no stone has been left unturned during the initial crime scene search, may justify the expense and make it a viable option. Technology exists to create a 360 degree computer animation of a crime scene by 3-D laser scanning at a fraction of the cost. The use of 3-D laser scanning for crime scenes is becoming more popular for accurately documenting crime scenes with the ability to provide scaled down presentations.<sup>57</sup>

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<sup>57</sup> For more information about this technology and its use see Keith W. Strandberg, "Meet a more robust camera," *LET magazine*, July 23, 2015, accessed Feb. 1, 2016, [www.officer.com/article/12077950/let-magazine-july-2015-revolutionary-3d-crime-scene-investigation-csi-scanners](http://www.officer.com/article/12077950/let-magazine-july-2015-revolutionary-3d-crime-scene-investigation-csi-scanners); "Bay area overpass collapse documented with 3D laser scanning," *The Police Chief*, January 2008, accessed Feb. 1, 2016, [www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display\\_arch&article\\_id=1361&issue\\_id=12008](http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=1361&issue_id=12008); and "Crime scene documentation" FBI, accessed Feb. 1, 2016, [www.fbi.gov/about-us/lab/forensic-response/crime-scene-documentation](http://www.fbi.gov/about-us/lab/forensic-response/crime-scene-documentation).

Questions concerning a primary or secondary crime scene or other areas possibly relevant for an investigation include:

- Is it known what was happening in the area when the child was last seen?
- Is it known if there were any reports of suspicious people in those areas, individuals described as not fitting in the area, or anyone in the area who could be described as odd or strange?
- Was there construction going on in the area?
- Have there been similar cases in the immediate or surrounding area?
- Have there been cases of sexual assault or attempted sexual assault in the area that might appear to be a crime of opportunity involving the elderly, sick or disabled?
- Were sex offenders living in the area where the victim was last seen? Lists of registered sex offenders in the community and noncompliant sex offenders whose whereabouts were last known to be in the area when the child was last seen can be obtained from the state sex offender registry, or NCMEC's Case Analysis Division at [\\_CAUAnalysts@ncmec.org](mailto:_CAUAnalysts@ncmec.org). Alternatively investigators can conduct searches by visiting the U.S. Department of Justice's National Sex Offender Public Website at [www.nsopw.gov](http://www.nsopw.gov). Law enforcement has access to additional information not posted on this public website with the sex offender registry in each respective state.

For information about crime scene review *see* "Chapter 4: Evidence review" beginning on Page 96.

## **Neighborhood canvassing**

Neighborhood canvassing is a methodical and deliberate process and should not be done haphazardly. The objective of the canvass is to find everyone who was in any area where the child was last seen, where the child resided, along the route the child took and any possible crime scene. Every person documented as being at any of those locations should be identified and interviewed. The canvass should be carefully planned to cover any place the child may have been, particularly during or near the window of opportunity. For example if the child was on a school bus close to the time last seen, all of the children and adults on the bus should be interviewed. For best results in conducting a canvass, investigators should use a flier with the child's photo when making inquiries. Each person interviewed should be questioned in a thorough and systematic fashion to ascertain if he or she saw the child, observed any suspicious activity, or noticed any person who seemed to be unusual or strange in the neighborhood. Neighborhood canvasses should be documented with scripted questions and biographical data obtained from each person interviewed. Additionally it is important to identify all people seen in the area by interviewees to include neighbors, workers or others engaged in normal activities. Many abductions are committed by neighbors, acquaintances or people who belong or appear to belong in the area. Often it is the offender who does not appear suspicious or out of place who successfully escapes detection.

Depending on the area in which the child was last seen, roadside canvassing may be used in several ways, albeit when legally allowable in a jurisdiction. The most common way to conduct a roadside canvass would be similar to the use of roadblocks at driving while intoxicated, seat

belt violation or similar checkpoints. Roadside canvasses in missing child cases fall into two categories. The first, conducted in the early stages of an abduction investigation, seeks to stop all vehicles leaving the immediate area of the suspected abduction site to search for the child. The second type attempts to find unknowing witnesses in much the same manner as is done in a neighborhood canvass. Roadside canvasses should be conducted with scripted questions and obtain personal information from each person interviewed. Whether they are stopped shortly after the crime or in a later canvass, all occupants of vehicles and their statements need to be documented and subsequently reviewed for possible investigative relevance and necessary follow-up. In planning a roadside canvass, traffic volume and other factors such as weather, lighting and adequate space to stop vehicles must be carefully considered to help ensure safety remains a paramount consideration. While roadside canvassing is used during the earliest stages of a missing child investigation, consideration may be given to using this tool to generate new leads. Digital billboards can be used for the same purpose

**Figure 3-10**

**Case summary: Use of roadside canvassing**

Two days after a 10-year-old child was last seen law enforcement set up several roadside canvassing locations to search for witnesses and information. During this time two individuals pulled up in a vehicle. During their interview the driver indicated he and the man in the car with him had heard about the missing child and his passenger was a neighbor of the missing child. While speaking with the passenger law enforcement became suspicious and questioned him further. Their subsequent interviews and investigation revealed the passenger was the offender who abducted and murdered the child. The child's body was subsequently found, and the suspected offender was arrested.<sup>58</sup>

## **Social media as an investigative tool**

A thorough understanding of online social networking and online social media is critical in the investigation of long-term missing children. There are numerous examples of material uploaded to social networks leading to the identification and location of people who did not want to be found. There are also examples of people using online social networking to make or continue contact with those from whom they are separated. In a culture where social networks have become ubiquitous, especially among youth, monitoring and making use of those online communities are now an essential part of any strategy for finding and recovering a long-term missing child.

Web-based and app-based social media are rapidly evolving and so are the means of accessing them. Instead of Web-based social networks such as Facebook and MeetMe, many children today are choosing to use app-based social networks such as Snapchat, Yik Yak, Vine and Instagram.

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<sup>58</sup> For a more detailed summary of the facts in this case see *Underwood v. State*, 2011 OK CR 12, 252 P.3d 221 (Okla. Crim. App., 2011).

Young people are moving away from desktop and laptop computers to mobile devices such as tablets, smartphones, video chats and portable gaming devices.<sup>59</sup>

Data posted to online social networks and metadata collected by providers can quickly go away, and laws such as the Electronic Communications and Privacy Act or ECPA and Communications Assistance for Law Enforcement Act or CALEA, which relate to law enforcement's access to electronic communications, do not necessarily require data retention. Thus individual electronic service providers and telecommunications companies may apply their own policies about how long metadata and content will be retained. Some providers retain this information, which may be useful in identifying and locating a subject, for very short periods of time. For this reason if it is known or suspected a long-term missing child is involved in online social networking, the investigative team must act quickly and obtain legal guidance to preserve evidence. Some providers may also have a policy to notify customers when contacted by law enforcement or when served with legal process in a criminal investigation, depending on the legal conditions involved. This can make obtaining evidence quickly and preserving prospective evidence more of a challenge for law enforcement investigators. Investigators planning to contact a provider should be aware of company policies about cooperating with law enforcement, obtain legal guidance from counsel or a prosecuting attorney, and make their approach accordingly. As noted earlier, significant evidence can also be recovered from physical devices that were connected to online social networks. As such investigators should make every effort to legally and forensically examine each device used by anyone who is or might be in communication with a long-term missing child.

No one knows where the evolution of online social media will take us next. But further change is inevitable, and everyone and every institution concerned with missing children will need to keep up with those changes. One way to do this is to establish and maintain contact with experts who understand the world of online communities and can guide investigators about forensically and legally sound ways to collect evidence from both open and closed social media sources. Investigators should seek knowledgeable advisers who can assist in the areas of:

- Understanding emergent technologies and use of online social networks and cloud computing.
- Collecting open source information from online social networks.
- Serving legal process on providers and telecommunications companies.
- Conducting forensic examinations of electronic devices.

Regional Internet Crimes Against Children or ICAC Task Forces specialize in this field and are a valuable resource to investigators. The ICAC program is a national network of more than 60 coordinated task forces representing more than 3,000 federal, state and local law enforcement and prosecutorial agencies. These agencies are engaged in both proactive and reactive investigations, forensic investigations, and criminal prosecutions.<sup>60</sup> For information about ICAC Task Forces by

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<sup>59</sup> For more information about this trend see Amanda Lenhart, "Teens, social media & technology overview 2015," *Pew Research Center Internet, Science & Tech*, April 9, 2015, accessed Feb. 1, 2016, [www.pewinternet.org/2015/04/09/teens-social-media-technology-2015](http://www.pewinternet.org/2015/04/09/teens-social-media-technology-2015).

<sup>60</sup> "ICAC Task Force," accessed Feb. 1, 2016, [www.icactaskforce.org/Pages/Home.aspx](http://www.icactaskforce.org/Pages/Home.aspx).

state visit [www.icactaskforce.org](http://www.icactaskforce.org). For information about free training available for law enforcement visit [www.icactraining.org](http://www.icactraining.org). In addition law enforcement can also seek technical assistance from the Regional Computer Forensics Laboratory or RCFL, with locations throughout the U.S. RCFL is a one stop, full service forensics laboratory and training center devoted entirely to the examination of digital evidence in support of criminal investigations.<sup>61</sup> For more information visit [www.rcfl.gov](http://www.rcfl.gov).

## Composites



Old case files often contain composite sketches associated with the case. Most composites attempt to picture the suspected offender. They are typically based on accounts from someone who witnessed the child abduction and got a good enough look at the suspect to describe him or her to an artist. In other cases a composite may portray a person of interest who cannot be directly linked to the abduction but was seen in the vicinity acting in a suspicious manner or who was connected to a previous similar child abduction or luring attempt. Composites are usually widely distributed to the public and one of various means of engaging the public as additional eyes and ears for the agency and investigative team.

When a person of interest sketch is disseminated, authorities should be careful to make clear the fact the person may or may not be involved in the abduction. If this distinction is not made, there is a risk someone with information about a possible suspect, who does not resemble the composite, may decide against coming forward. If this happens valid information may be permanently lost.

Once a composite likeness is released, it normally remains in public view until the person has been identified. Often media will keep using the composite to illustrate its continuing coverage of the investigation. This can be helpful but also a problem if the person portrayed is eliminated from consideration as a suspect or determined to have no connection to the case. When a composite is no longer relevant to the investigation, it should be communicated in a timely fashion to the media and the public. But in the Internet age, it is impossible to control the spread of information. Agencies need to work closely with the media to publicize updated information and minimize any confusion. If static or hard copy posters are displayed in public places, it is also important to have these taken down and removed when the person shown on the sketch is no longer being sought. The use of the Internet to disseminate composites, or correct outdated or inaccurate composites, will reach more people in a relatively short time.

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<sup>61</sup> "About" accessed Feb. 1, 2016, [www.rcfl.gov](http://www.rcfl.gov).

When composite sketches are found in old case records, the new investigator should thoroughly research the origin of the sketch and ascertain why it was prepared and if it remains relevant to the case.

## Age progression images of long-term missing children

Children's features and appearance change as they mature, so images distributed to the public can only be helpful if they resemble the child's current appearance as closely as possible. The younger the age when a child went missing, the more quickly his or her appearance will change as time passes. To keep up with those changes, photos of the child can be modified to show facial features as they will look with physical growth and greater maturity, a process called age progression.

Figure 3-11  
Examples of age progressed images



Forensic artists using the age progression process draw not only on their knowledge and understanding of human growth patterns but also on reference photos of close relatives who may show what a child will look like when older. The best references are photos of the biological parents at the age the artist is hoping to represent for the child. Family reference photos are more critical when a child went missing at an early age. Without reference photos the artist can only guess how facial characteristics will evolve, making the age progression process more subjective and less reliable.

Currently there is no automatic age progression software that can guarantee any degree of accuracy. The process is done using photo manipulation software, for instance NCMEC forensic artists use Adobe Photoshop, and by its nature the resulting image can only represent the artist's judgment, not objective reality. Parents and other family members should be encouraged not to think of the age progression image as a keepsake but as a tool for law enforcement and the media that may generate further leads in the case, in the same way composite sketches based on eyewitness information may help identify someone of interest in an investigation. When a child has been missing for two years or longer, the family can request an age-progressed image from NCMEC's Missing Children Division. The request can be made by the family either through law enforcement or directly to a NCMEC case manager who will ask the family to submit photos of the child and reference photos of parents and other family members that might be useful. As long as the case is open, NCMEC will update the age-progressed image every two years until the child

would have reached the age of 18 and every five years thereafter as necessary. For more information about this service visit [www.missingkids.org/LongTermMissing](http://www.missingkids.org/LongTermMissing).

## **Comprehensive case review**

In the early stages of a missing child case investigators are keenly aware time is the enemy. The law enforcement response, from the public safety telecommunicator receiving the initial 911 call to the first responding officer who reaches the scene, is framed to find and recover the child as quickly and safely as possible. Investigators know they must rapidly locate witnesses, identify potential crime scenes, secure evidence and coordinate search efforts. As a case ages, however, time gradually transitions from a deterrent to an investigative advantage for law enforcement. Investigators need to take advantage of this transition keeping in mind as a case gets older relationships among friends, family members and acquaintances change and forensic technology is constantly improving. Time is no longer the enemy but rather an asset requiring a review of the entire case from a multidisciplinary approach.

*Investigators need to ... [keep] in mind as a case gets older relationships among friends, family members and acquaintances change and forensic technology is constantly improving.*

When reviewing long-term missing cases, investigators may consider requesting assistance from law enforcement agencies with specialized units such as the Cold Case Homicide Unit at the Naval Criminal Investigative Service or NCIS, via [ncistipline@ncis.navy.mil](mailto:ncistipline@ncis.navy.mil), and the FBI's Behavioral Analysis Unit or BAU 3 at 703-632-4347. The services of NCIS, the FBI and NCMEC are available without charge to requesting law enforcement agencies. In addition NCMEC's Forensic Services Unit or FSU can be a valuable resource in reviewing and analyzing long-term missing child cases, including those known or presumed to be homicides and cases of unidentified remains believed to be children. FSU helps investigating agencies ensure all investigative leads have been thoroughly followed; available biometric data necessary for the positive identification of the child has been gathered and documented; available and new technology and resources have been considered and/or used; and investigative strategies have been considered, explored, recommended and/or addressed. In addition to the normal NCMEC case management practices and procedures, FSU works closely with the FBI's Behavioral Analysis Unit, NCIS, CODIS, coroners and medical examiners, various long-term homicide units, NamUs, NCIC, forensic anthropologists, forensic odontologists, DNA lab experts, prosecutors and other subject matter experts.

When all traditional avenues have been explored and exhausted, NCMEC recommends considering a comprehensive case review. There are two comprehensive case review options available once the case has been accepted into FSU:

- **In-house case review.** An in-house case review is the less formal but more common option involving a review of all case materials and preliminary discussion by members of FSU.

Representatives of the requesting agency may participate in this type of case review either by telephone or in person although attendance is not funded by NCMEC. When the review is concluded a comprehensive report will be generated for the requesting law enforcement agency.

- **Expanded case review.** This is a more structured two- or three-day case review hosted by NCMEC, when funds are available, in which FSU, and any relevant outside subject matter experts, gather for an in person roundtable discussion of the case. Upon the conclusion a comprehensive report will be generated for the requesting law enforcement agency.

If NCMEC is already assisting with a long-term missing child case, the NCMEC forensic case manager assigned is responsible for scheduling and facilitating the comprehensive case review in concert with the investigative law enforcement agency. Once a law enforcement agency requests a comprehensive case review and provides FSU with the relevant case materials, the assigned FSU case manager will review them in conjunction with other members of the FSU team and make preparations for the review. The investigating agency is responsible for preparing a PowerPoint® presentation for use during the case review process.

Once approvals for the expanded case review have been obtained, the NCMEC case manager will make travel and hotel arrangements for the law enforcement agency representatives. The law enforcement agency will provide to the group an overview of the case and answer questions regarding the case.

## Inspiration and innovation in missing child investigations

Breathing new life into an old case can be a challenging yet rewarding mission. In the initial stages of most missing child investigations the investigative activity and resources available to complete those activities are substantial. However, as time goes by and all logical investigation has been exhausted and once-promising leads have dwindled to a trickle, it may be necessary to reinvigorate the investigation by considering both traditional and nontraditional approaches.

## Back to basics

The three Rs for long-term investigations are **review**, **reconsider** and **reconnect**.

### Review

Most investigators assigned to a long-term missing child case insist they know every detail of the investigation they have been working on for years. However, the reality is as time goes by and the case file grows into multiple volumes and countless items of evidence, the recollection of important facts can be lost, particularly since many hands have likely touched the case and personnel may have turned over several times. It is important to conduct a periodic, comprehensive review of all materials with the general goal of re-familiarization. During these reviews it is not unusual to discover information developed earlier in the investigation which, in light of the current understanding of the case, now has greater significance requiring additional follow up. Evidence collected with the intent of submitting it for forensic examination may still be sitting untouched in a vault, or a new technology may have been developed requiring evidence



be resubmitted for additional testing. This review can be more formal with a gathering of law enforcement professionals and subject matter experts in a roundtable discussion, or it can be an internal review conducted less formally within a department. In both types of reviews, discussion should be aimed at generating recommendations for additional areas of inquiry and more generally at reinvigorating the investigation. It is unfortunate at any stage to realize an investigator assigned to a long-term case has never thoroughly reviewed the investigative files.

*It is unfortunate at any stage to realize an investigator assigned to a long-term case has never thoroughly reviewed the investigative files.*

### **Reconsider**

When a comprehensive review is being conducted, it may be a good time to re-examine pet theories having cropped up during the intervening years. The experience, training and background of investigators allow them to consider various scenarios or theories based on their interpretation of the circumstances. However, sometimes an investigator develops tunnel vision and becomes so locked into one theory he or she disregards any evidence not supporting this theory. This can stifle an investigation if not promptly addressed. As objective fact finders, investigators must constantly test their theories of a case against the evidence and be willing to adjust their theories accordingly.

### **Reconnect**

Investigators often lose touch with key witnesses and prime suspects when a case continues for many years. It is a good idea for investigators to periodically reconnect with individuals who were close to the investigation. Relationships and loyalties often change over time and revisiting the circumstances of the case with key individuals can be productive and even lead to a dramatic break in the case. In particular, alibi witnesses should be re-contacted. A partner, spouse or relative, as illustrated in Figure 3-1 on Page 36, who may have inappropriately vouched for a suspect's whereabouts at the time of the crime may now, with enough time and distance, be in a better position or more willing to give an accurate account. Investigators should do some homework before re-engaging with these individuals and make discreet inquiries regarding current relationships and present circumstances. For instance if some time has passed since the last criminal history record search has been run, a good place to start would be gathering background information in preparation for the approach and the resumed conversation to come.

### **The use of rewards**

If it has been a while since a reward was offered, or one was not offered before, investigators should consider a media campaign offering a sizeable reward for information leading to the

recovery of the child and/or the arrest of those responsible.<sup>62</sup> This will present an incentive to those who may have critical information but have been reluctant to come forward. It will also provide a platform for getting the case back into the news and reminding the public and offender a vigorous investigation is still taking place.

## Holdback information

In a criminal investigation holdback information is a piece of information about a crime known only to law enforcement and presumably the offender, but not released to the public. There are many valid reasons for maintaining holdback information. However, in long-term cases those reasons need to be thoughtfully reviewed. A periodic cost-benefit analysis should be conducted by a team of individuals who are familiar with the investigation and all the available physical and behavioral evidence connected to it. Those individuals must then weigh the potential benefit of releasing a piece of information not previously in the public domain, but if made public may spur a witness to come forward who interacted with the offender at the time of the abduction.

A valid reason for maintaining holdback information is its value to investigators who suspect they are dealing with a false confessor. Armed with information only they and the **actual** offender would know allows investigators to test the confessor's knowledge of the crime and may detect a false confession, potentially saving a great deal of time and trouble. However, if investigators have collected the perpetrator's DNA from the crime scene, the need for holdback to identify a false confessor may no longer be necessary. A DNA test can serve the purpose of excluding a false confessor.

Nevertheless, there may still be good reasons for maintaining holdback information and its release to the public must be measured appropriately. The concealed information test, may provide some examples or guidance about this decision and the need for holdback to help ensure key questions can be constructed, although the test is not widely accepted or used in the U.S. at this time.<sup>63</sup>

## Additional case examples

This Section offers examples of extra steps taken by law enforcement agencies to identify suspects.

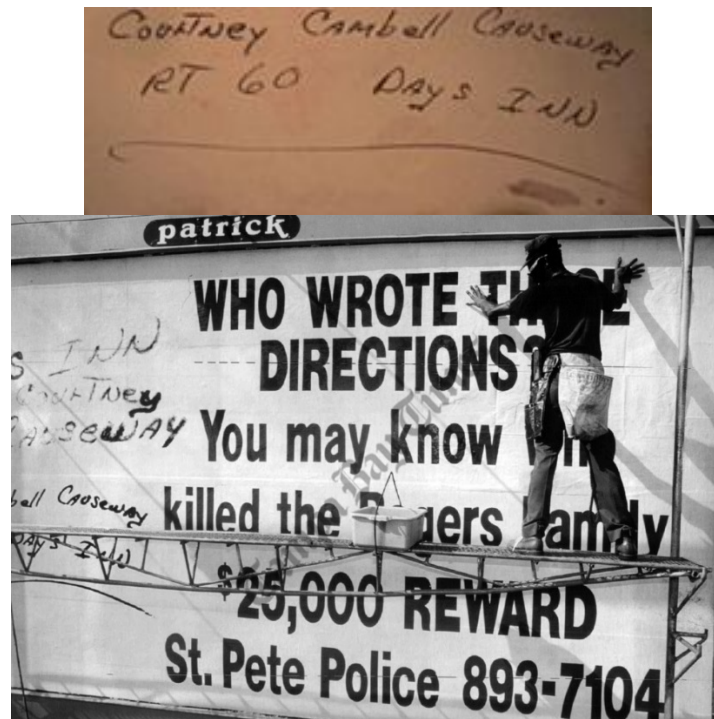
One case involved three bodies surfacing in a bay. Each body was tied with a rope attached to a cement block. It was a mother and her two teenage daughters. Inside the victim's car was a tourist brochure with a note added in a unique handwriting. Creative thinking led law enforcement to post the handwriting on a billboard in the area in an effort to identify the source. A neighbor of

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<sup>62</sup> NCMEC serves as a clearinghouse for the collection and dissemination of leads and sightings received of missing children to appropriate law enforcement agencies. NCMEC neither endorses nor assumes responsibility for any reward fund.

<sup>63</sup> For more information about this concept see Blake McConnell and Timothy J. Weber, "The concealed information test: An alternative to the traditional polygraph," accessed Feb. 1, 2016, [leb.fbi.gov/2014/august/the-concealed-information-test-an-alternative-to-the-traditional-polygraph](http://leb.fbi.gov/2014/august/the-concealed-information-test-an-alternative-to-the-traditional-polygraph).

the offender recognized the handwriting and contacted law enforcement resulting in this triple homicide being solved three years after the crime had been committed.<sup>64</sup>



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Figure 3-12

#### Case summary: One case resolution inspiring another

Sept. 1, 2006, FBI Special Agent Andy Burke was assigned to the Cleveland field office. For the next seven years he worked closely with the two dedicated special agents originally assigned to help find Gina DeJesus and Amanda Berry. Long-term missing cases are the most persistently discouraging to investigators. Investigators will often say no other mystery is more frustrating, gut wrenching and mentally exhausting. The dedication of those special agents in the Cleveland office was inspiring. **The May 6, 2013, escape of three young women held captive in Cleveland served as an even greater inspiration that there is always hope.**

Just four months after the sentencing of Gina and Amanda's abductor, their case would lead Burke to the resolution of another long-standing Cleveland mystery. The rescue of those three women inspired Burke to re-examine a case assigned to him a few years earlier. As Burke describes it, Jan. 10, 1995, 18-year-old Christina Adkins was last seen on a dimly lit street just a few blocks away from the house where Gina and Amanda had been imprisoned for years. With this in mind Burke tried to mentally avoid any stereotypical preconceptions he believed may have obscured Christina's case for nearly 20 years.

<sup>64</sup> The information noted here is summarized from Jamal Thalji and Craig Pittman, "Oba Chandler's execution stirs emotions for those who sought justice," *Tampa Bay Times*, Nov. 14, 2011, accessed Feb. 1, 2016, [www.tampabay.com/news/publicsafety/crime/oba-chandlers-execution-stirs-emotions-for-those-who-sought-justice/1201683](http://www.tampabay.com/news/publicsafety/crime/oba-chandlers-execution-stirs-emotions-for-those-who-sought-justice/1201683).

The obvious suspects were reduced to nothing more than names on a page, so investigators went back to the minute Christina was known to be last seen. This fresh start led to the identification of a new suspect and, quickly from there, to the identification of more witnesses and victims. By December 2013 the suspect took Burke to the site where he left Christina's body, and her remains were located. The suspect subsequently pleaded guilty to murder and various other violent sex offenses. The escape of Michelle Knight, Gina DeJesus and Amanda Berry provided the inspiration for justice to finally be served in another case. The rescue of those young women, although far more complex cases, were the lesson proving beyond a shadow of a doubt the solution or resolution to a case is out there. It may take a long time to find, but evidence does exist.

Burke was quick to say the lesson he will never forget is, "The evidence **is** out there, it **can** be found and we **will** solve these cases."

## Technology

The world of technology is an ever-changing arena, especially when researching a long-term missing child case. Thankfully there are several organizations available to assist law enforcement agencies.

### National Center for Missing & Exploited Children

NCMEC can assist in long-term missing children cases by providing direct analytical support to law enforcement for missing and unidentified deceased child cases.

Specifically NCMEC can help by:

- Developing information using donated public records databases as well as searching the National Crime Information Center, Nlets and the Internet.
- Searching databases of attempted abductions and sex offenders within the region of critical missing child cases.
- Batching of active cases through public record and federal databases to locate names/aliases, addresses, telephone numbers, Social Security numbers, dates of birth, dates of death, and potential booking or incarceration information.
- Searching NCIC to check hot files and confirm the status of children or abductors.
- Searching Nlets for vehicle registration and driver's license information including regional searches to cover the entire country.
- Searching the NCMEC and NCIC databases for possible matches to an unidentified child.
- Providing large-scale aerial and topographic maps for grid searching purposes in critical missing child cases.
- Reviewing leads received through NCMEC's Call Center to provide additional value and associate unrelated leads to a NCMEC case. Additionally these leads are distributed daily to investigators and missing children's clearinghouses for further dissemination to law enforcement agencies.

All states have **missing child clearinghouses**, which can provide assistance when someone is missing. For more information about these clearinghouses visit [www.missingkids.org/clearinghouses](http://www.missingkids.org/clearinghouses).

## **National Crime Information Center**

The National Crime Information Center or NCIC is maintained by the FBI, and access is restricted. NCIC is described as “an electronic clearinghouse of crime data that can be tapped into by virtually every criminal justice agency nationwide, [24/7 every day of the] year.... The NCIC database currently consists of 21 files. There are seven property files containing records of stolen articles, boats, guns, license plates, parts, securities and vehicles. There are 14 person files including...**Missing Person** [and] ...**Unidentified Person**.... The system also contains images that can be associated with NCIC records to help agencies identify people and property items. The Interstate Identification Index, which contains automated criminal history record information, is accessible through the same network as NCIC.”<sup>65</sup> For more information about NCIC visit [www.fbi.gov/about-us/cjis/ncic](http://www.fbi.gov/about-us/cjis/ncic).

## **National Missing and Unidentified Persons System**

The National Missing and Unidentified Persons System or NamUs is a publicly accessible and searchable Web-based repository containing physical information about missing and unidentified people. It has restricted law enforcement and coroner access for the entry of case information. For more information about NamUs visit [www.namus.gov](http://www.namus.gov).

## **National Institute of Justice**

NamUs was created by the National Institute of Justice or NIJ. In addition to that repository, NIJ supports law enforcement as it “creates new technologies and evaluates technologies on the market for effectiveness and safety.”<sup>66</sup> For more information about NIJ and its efforts to make new equipment and technology available to law enforcement throughout the country, visit [www.nij.gov](http://www.nij.gov).

## **Violent Criminal Apprehension Program**

The Violent Criminal Apprehension Program or ViCAP was developed by the FBI and tracks violent crime data to include information about missing and unidentified people. For more information about ViCAP visit [www.fbi.gov/wanted/vicap](http://www.fbi.gov/wanted/vicap).

## **Nlets**

Law enforcement has long known the benefits of using Nlets, The International Justice & Public Safety Network, to help ensure thorough dissemination, as needed, of key case facts through the use of radio broadcasts locally, regionally, statewide or throughout the country. Nlets uses technology to enable officers to “rely on Nlets’ network to facilitate data transactions on the street, and Nlets uses standard-based technology to meet the demand of the public safety community.”<sup>67</sup> For more information about Nlets visit [www.nlets.org](http://www.nlets.org).

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<sup>65</sup> This description is adapted from “National Crime Information Center,” accessed Feb. 1, 2016, [www.fbi.gov/about-us/cjis/ncic](http://www.fbi.gov/about-us/cjis/ncic).

<sup>66</sup> “Law enforcement equipment and technology,” accessed Feb. 1, 2016, [www.nij.gov/topics/law-enforcement/technology/Pages/welcome.aspx](http://www.nij.gov/topics/law-enforcement/technology/Pages/welcome.aspx).

<sup>67</sup> “State-of-the-art technology,” accessed Feb. 1, 2016, [www.nlets.org](http://www.nlets.org).

## Regional Information Sharing System

The Regional Information Sharing System or RISS program “offers secure information sharing and communications capabilities, critical analytical and investigative support services, and event deconfliction to enhance officer safety .... [and] supports thousands of local, state, tribal and federal criminal justice agencies in their efforts to successfully resolve criminal investigations.”<sup>68</sup> For more information about RISS and its technological resources visit [www.riss.net](http://www.riss.net).

In addition there are other resources and tools available to assist, in the variety of ways described below, in long-term missing children cases.

## Data management

High-profile cases with strong media coverage often result in a rapid flood of leads that can quickly overwhelm law enforcement. Many agencies are not prepared to handle such a volume of information.

*High-profile cases with strong media coverage often result in a rapid flood of leads that can quickly overwhelm law enforcement. Many agencies are not prepared to handle such a volume of information.*

When the amount of information is overwhelming, investigators should secure and utilize a good case management database system to help organize and manage their case, making it possible to compare information quickly and reliably and track leads and evidence, both pending and complete.

Case records left in hard copy files can make it particularly burdensome to integrate new information or leads developed in a later investigation. It can be a major shortcoming, if not crippling in an extended investigation, when investigators cannot electronically search and retrieve historical information such as names, suspect information, witnesses, vehicle information, evidence collected and laboratory reports. Lacking this capability, investigators preparing to pursue fresh tips or information will often spend considerable time hand searching hard copy files to determine if similar information has been developed or investigated in the past — material that can be invaluable when evaluating and investigating possible new leads or information.

As mentioned earlier it is common for the name of the offender to surface early in an investigation, even if he or she is not originally singled out as a suspect. Because the offender’s name is likely to appear in early reports and possibly at other times during the course of the investigation, it is critical for investigators to have the ability to retrieve all relevant information about the individual to include every contact listed in case records. A database is recommended to document the names and organize them into a searchable case management system. Without

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<sup>68</sup> “Regional Information Sharing Systems (RISS) Program: A proven resource for law enforcement,” accessed Feb 1, 2016, [www.riss.net/Default/Overview](http://www.riss.net/Default/Overview).

such a system, investigators are hampered in comparing numerous reports or connecting pieces of information that came at different times or from different sources. For example there may be fragments of information received incrementally over the years that are difficult to recognize or connect to the same suspect. The ability to find that link and connect the fragments may prove extremely helpful during the investigation, case reviews and strategy development planning.

A case management database system allows investigators to track all names associated with the investigation, including those of suspects and witnesses; manage all reports, statements and leads; and track evidence as well as the disposition of each item. The database can provide a log showing the activity of all officers, investigators and anyone else assisting with the case, as well as contact information for each person. A good system will also help track volunteers and their contact information and areas searched. It will also help manage and filter out duplicate leads. Some systems will also help investigators organize leads and contacts and produce visual aids such as timelines, graphs and charts.

Managing information about potential suspects is particularly important, since a high-profile investigation typically generates a high volume of information. It is critically important to review the names appearing on lists of possible suspects, document why they were considered suspects or persons of interest, and document how they were or were not eliminated from further consideration. In a long-term case it is useful to create a file and checklist for each suspect and ensure all possible background information, statements, alibis and other relevant details have been compiled. *See* the information about suspect elimination beginning on Page 62 for additional information.

In addition to locating all key information such as reports, statements, evidence, leads and laboratory reports, the investigator should identify how the leads and information were obtained and catalogued. It is recommended leads and reports be organized with a sequentially numbered filing system, so any report can be easily referenced and located when needed. Some agencies use a system coupling the case number with the supplemental report number, for example H02591215 S-10. The initial numbering reflects the case number, then the S-10 indicates this is the 10<sup>th</sup> supplemental report thus allowing for easy retrieval. Extensive investigations will often have reports from multiple local, county, state, tribal and federal agencies, which should all be collected in one database so all information is centralized. Reports from each agency should be designated such as FBI S-10 for the 10<sup>th</sup> supplemental FBI report. The reports can then be retrieved and referenced as needed during the course of the investigation.



## Hard copy files

Depending on the case, the data collection from the pre-digital past may fill a few notebooks or a wall of large file cabinets. Individual reports can have just a few pages or thousands. Some documents may be handwritten and others may be typed. As some investigators will remember, in years gone by, many reports were manually typed on forms with carbonized copies. Typically the original copy was left in the command post or master case file, while investigative teams were provided a duplicate or carbon copy on colored paper for the follow-up. This was sufficient in the early days for hard copy files, but over time these colored paper copies faded, tore or were replaced with often illegible photocopies.



Once organized, hard copy files can be easily scanned into an Adobe System Portable Document Format or PDF file. The high-speed scanners used in that process can be easily obtained today at a low cost to an agency. Once the PDF files are entered into a case management database, copies of typed documents can be read, searched and retrieved. Optical Character Recognition or OCR software allows the document to be searchable by using the search and find features in the Adobe software for PDF files.

Different software using Intelligent Character Recognition or ICR can scan and search handwritten notes and documents, though accuracy is less reliable than with scans of typewritten documents. The most accurate method of digitizing those documents would be to have them manually typed into a case management system, but that can be a costly and extremely time consuming process if a large volume of data is involved, and especially if there is only one data entry point.

## Document preparation

Although a high-speed scanner can accomplish the task quickly and efficiently, manually preparing documents for scanning takes time and patience. Before scanning, documents should be completely catalogued and organized into appropriate files, chronologically and by agency, so searching and retrieval may be performed quickly.

NCMEC's Project ALERT® can deploy teams to provide law enforcement agencies with on-site assistance in organizing, preparing and scanning documents. Depending on the volume of the request and condition of the documents, a Project ALERT deployment will generally consist of four to six team members who work with agency personnel. For more information about Project ALERT visit [www.missingkids.org/ProjectALERT](http://www.missingkids.org/ProjectALERT).



As an example Project ALERT helped members of one agency organize approximately 9,000 leads and enter them into NCMEC's simple leads management software, mentioned earlier. The program is an Access database and was loaded on nine separate computers. In this instance a single computer was utilized as the server, while the others were used for data entry, connected with network cables for extra stability. Multiple users entered data accomplishing the task more quickly. Twice a day the entire system was backed up in two locations in the event of a crash. Once the database was established, the agency was able to rapidly locate information that previously would have taken hours or even days to find, if at all.

As an investigation progresses, public outreach and other investigative steps will develop new leads, which also need to be tracked, prioritized and assigned to investigators for follow-up. Ultimately proper organization and case management saves investigators countless hours of searching for files, time that can now be spent searching for the child and/or offender. The more orderly the procedure is to maintain case data, the less chance a lead, and potentially an opportunity to solve the case, will be missed.

### Reconstruction of older documents

Investigators may find old documentation such as spreadsheets recording dates, times or activities of a person of interest. Sometimes this information can be poorly labeled and difficult to discern. Today there is reconstructive software available that can prove helpful in situations where physical documents have become degraded. For example NCMEC received extensive timeline data and documentation related to a serial killer who was believed to have additional unknown victims. The information had been placed on spreadsheets by the investigating agencies involved, but the documents were aging and soon might have become illegible. NCMEC used reconstructive software to import all of that information into a digital format and compared it with all known children missing from the areas and time frames for locations the offender was known to frequent, illustrating how information can quickly become usable and valuable to identify additional leads.

Figure 3-13

Availability of PKU/Guthrie card information					
This information was compiled by NCMEC in July 2015 as an overall reference. Contact each state to confirm or obtain additional details. For additional information regarding PKU/Guthrie cards and newborn screening visit <a href="http://www.newsteps.org">www.newsteps.org</a> .					
State	Department	Program contacts	Year retention began	Retention time frame	Requirements to release information
Ala.	Department of Public Health	Newborn Screening Division 334-260-3400	1964	3 months	N/A
Alaska	Division of Public Health Department of Health and Social Services	Newborn Screening Division 907-269-2400	1967	3 years	Only released with request from the parents, out-of-state, and primary health care provider, in-state, only under certain conditions such as

					no paternity testing and no repeating of screening test already performed
Ariz.	Department of Health Services	Office of Newborn Screening 602-364-1409	1994	3 months	Request submitted to Department of Health
Ark.	Department of Health	Newborn Screening Program 501-661-2445	1967	3 to 6 months	Court order, lawful subpoena or parental consent, not released for research
Calif.	Department of Health Services	Genetic Disease Screening Program 510-412-1502	1980	Indefinitely	Subpoena or authorization form
Colo.	Department of Public Health and Environment	Newborn Screening Program 303-692-3670	1982	6 months	Any use other than newborn screening must be approved by internal review board, then available for research on a de-identified bases; May also be available with parental consent.
Conn.	Department of Public Health	Newborn Screening Program 860-920-6628	1964	2 years	Only from the person who provides the child's health care such as social worker/health care provider
D.C.	Department of Health	Newborn Screening Program 202-442-9158	1980	1 year	Lab policy
Del.	Department of Health and Social Services	Newborn Screening Program 302-223-1493	1972	3 years	May be released with parental consent for specific specimens; Large batch requests have to be reviewed by internal review board
Fla.	Department of Health	Newborn Screening Program 850-245-4201	1965	Normal cards held for 6 months; Held indefinitely if positive test	Law enforcement requires subpoena or parental consent
Ga.	Division of Public Health Department of Human Resources	Newborn Screening Laboratory 404-327-6800	Mid 1980s	3 months	N/A

Hawaii	Department of Health	Newborn Metabolic Screening Program 808-733-9069	N/A	1 year	Court order, subpoena, parental request
Idaho	Department of Health and Welfare	Newborn Screening Program 208-334-4935	Mid 1960s	12 to 18 months	Anyone can request, but requires custodial parents' written consent
Ill.	Department of Public Health	Newborn Screening Program 312-793-4745	1965	Normal cards kept for 4 months; Abnormal cards kept for 6 years	Parental consent, court order or subpoena may be allowed, but would need to review with legal team upon receipt of request
Ind.	Department of Health	Genomics and Newborn Screening Program 317-233-1231	1965	As of June 2013 parents can either opt in or out; Opt in = Cards retained for 3 years and then destroyed Opt out = Cards retained for 6 months and then destroyed	Parent or legal guardian consent
Iowa	Department of Public Health	Newborn Screening Program 515-720-4925	1983	5 years	Court order, subpoena or parental request
Kan.	Department of Health and Environment	Newborn Screening Program 785-291-3363	1967	30 days; Abnormal results retained longer depending on commonality of results	Parental consent/double check with Legal Department
Ky.	Cabinet for Health and Family Services	Newborn Screening Program 502-564-3756, ext. 4367	1966	6 months if normal; Indefinitely if abnormal	Would require court order to release

La.	Department of Health and Hospitals	Public Health Laboratory 504-219-4696	1964	30 days for normal cards; Abnormal cards frozen indefinitely unless requested to destroy	If coming from parents, request in writing; If coming from law enforcement, need court order or subpoena
Maine	Department of Health and Human Services	Newborn Bloodspot Screening Program 207-287-5351	1998	Indefinitely	Parental request is enough, medical examiner may request, law enforcement may require court order or subpoena
Mass.	Department of Public Health	Newborn and Childhood Screening 617-983-6300	1990	Minimum of 10 years, possibly up to 18 years	Request by current health care provider or court order, subpoena is not sufficient; If no court order Massachusetts Department of Public Health will seek legal consult
Md.	Department of Health and Mental Hygiene	Newborn and Childhood Screening 410-767-6099	1965	25 years but this retention time frame only implemented since 2004; May need to follow up on older cases	Release from parent in some circumstances, law enforcement agencies can provide a release but legal/attorney general's office follow up may be needed
Mich.	Department of Community Health	Newborn and Childhood Screening 517-335-8095	1984	Indefinitely	Authorization form completed by parents
Minn.	Department of Health	Newborn and Childhood Screening 651-201-5466	1965	71 days for normal cards; 24 months for abnormal cards; Parents may request longer retention period	Written consent signed by parents

Miss.	Department of Health	Newborn and Childhood Screening 601-576-7619	1998	3 to 4 years	N/A
Mo.	Department of Health and Senior Services	Newborn and Childhood Screening 573-751-2662	1965	Physical cards kept for 5 years; Lab report kept for 20 years	Parental consent
Mont.	Department of Public Health and Human Services	Newborn Screening Program 406-444-4030	1973	1 year	Parental consent
N.C.	Human Services Department of Health	Newborn Screening/ Clinical Chemistry Unit 919-807-8880	1965	5 years	Parental consent
N.D.	Department of Health	Newborn Screening Program 701-328-4526	1960s	Minimum of 10 years; May be retained longer by state	Parental consent, request form submitted to Health Information Privacy Act officer
Neb.	Department of Health and Human Services	Newborn Screening and Genetics Program 402-471-6733	1967	90 days; Required to destroy within 30 days afterward	Parental request, court order, subpoena
Nev.	Health Division Department of Health and Human Services	Newborn Screening Program 775-684-3478	1978	1 year	Parental consent
N.H.	Department of Health and Human Services	Newborn Screening Program 603-271-4225	1965	6 months	Law enforcement agency request; Parental request
N.J.	Department of Health and Senior Services	Newborn Screening Laboratory 609-530-8371	1970s	23 years	Court order or subpoena
N.M.	Department of Health	Newborn Screening Program 505-476-8858	1978	1 year	Subpoena/Go through Department of Health's Legal Department
N.Y.	Department of Health	Newborn Screening Genetics Services 518-473-7552	1965, Storage since 1997	27 years	Subpoena, court order, medical examiner request

Ohio	Department of Health	Newborn Screening Program 614-644-4659	1960s	2 years	Parents' signed consent through a physician or court order
Okla.	Department of Health	Newborn Screening Program 405-271-6617	1963	30 to 42 days	Parents' signed consent approved by Advisory Committee; Law enforcement agency requests would have to go through the Oklahoma State Department of Health's general counsel if parental consent not available
Ore.	Public Health Division	Newborn Screening Section 503-693-4172	1961	1 year	Written request stating the pertinent information to assist in identifying the correct specimen and parental or guardian permission to release the specimen
Pa.	Department of Health	Newborn Screening Section 717-783-8143	1965	8 months	Identifying information provided by parents and parental consent
R.I.	Department of Health	Newborn Screening Program 401-222-4640	1976	23 years	Parental consent or subpoena
S.C.	Department of Health and Environmental Control	Newborn Screening Program 803-898-0619	1965	1 year	Court order, subpoena or written request of the parent/legal guardian
S.D.	Department of Health	Newborn Screening Program 605-773-2944	1973	1 to 2 months	Information for newborn screening purposes only and cannot be released
Tenn.	Department of Health	Newborn Screening Program 615-532-8462	1968	1 year for normal cards; Abnormal cards held indefinitely	Parental consent or official request from law enforcement agency about why they need the sample and where to send it via methods such as request on department letterhead
Texas	Department of State Health Services	Newborn Screening Unit 512-776-3957	1960s	2 years as of June 2012; Before 2009 have been destroyed	Parental consent; Other requests forwarded to lawyers

Utah	Department of Health	Newborn Screening Program 801-584-8255	1979	90 days minimum	Parental consent or law enforcement agency/ legal consent
Va.	Department of Health	Newborn Screening Program 804-864-7712	1967	10 years for abnormal cards; 6 months for normal cards	Notarized request forms from parents or medical examiner and medical examiner request must have parental consent or subpoena
Vt.	Department of Health	Newborn Screening Program 802-951-5180	1964	Indefinitely; Only have samples from 2002 onward	Parental consent form both parents/subpoena for additional testing and forensic purposes
Wash.	Department of Health	Newborn Screening Program 206-418-5410	1976	21 years	Parental consent; Need release form unless criminal case
Wis.	Department of Health Services	Newborn Screening Program 608-266-8904	1978	1 year	"Request for Information" form required with court orders and subpoenas being exempt; Submit request to Wisconsin State Lab of Hygiene Administrative Office
W.Va.	Department of Health and Human Resources	Office of Maternal, Child and Family Health 304-558-5388	1967	3 months	Parental consent
Wyo.	Department of Health Services	Newborn Screening Program 307-777-6297	1980	6 months	Require release from parents

## **Chapter 4: Evidence review**

by Patty Aagaard

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### **Introduction**

When conducting a long-term missing case review it is imperative to reassess the evidence originally collected and forensic examinations performed in the past. The purpose of such a review is not to find fault, change results or conduct re-examinations. Rather the purpose is to identify evidence possibly of value and recommend testing not yet done, whether it is because the evidence was not previously examined or specific analyses were not previously available. A fresh review without any preconceived ideas often results in new recommendations. A key point is examinations should not be recommended unless testing will be probative to the investigation and reasonable. It is not appropriate, for example, to recommend touch DNA, DNA obtained from fingerprints taken from handled objects, be performed on an item known to have been handled by numerous individuals after it was collected. This evidence would be neither probative nor the testing reasonable.

### **Why do the review?**

Those considering a review of the evidence often believe it is simply not worth the effort. The assumption might be nothing else can be done with the evidence from long-term missing cases because if something could have been done the testing would have already been completed. Or the assumption could be it cannot be done since the case, and accordingly the evidence, is so old. Or it may be incorrectly believed the review and testing had already been done in the past. These assumptions are not valid reasons to decide against doing a case review. With new forensic techniques and technologies and the current sensitivity of the testing, evidence that may have



been unsuitable for testing or retesting in the past might now be suitable for testing. It should not be assumed the forensic testing available today was performed on the evidence sometime in the past. In addition, although a case file review may have been done in the past, it is imperative subsequent case reviews be periodically performed because there still may be possible things to do which were not mentioned in any prior case reviews.

## **Revisiting the crime scene**

Of course any known crime scene can be a source of valuable clues when a child is missing. The reality, in many long-term cases, is that a crime scene search was never performed if the child was believed to have run away or wandered off. False, outdated assumptions that law enforcement could not take a report until someone was missing for at least 24 hours may have jeopardized any possibility of a successful crime scene search. Sometimes the initial officers on the scene may have simply failed to consider doing such a search believing it was “just another runaway case.” Mislabeling a missing child case type in the early stages of the investigation can lead to missed investigative opportunities, especially when a case is originally labeled as “just another runaway case” and later is discovered to be an abduction or homicide. A child abduction homicide study indicated the victim’s last known location was usually close to the site of the initial contact between the perpetrator and victim. To quote the study, when law enforcement “did not know the initial contact site, the solvability rate dropped to 23.9 percent. When the initial contact site was known, the solvability rate increased to 79.7 percent.”<sup>69</sup> This result is not surprising, because when an initial contact site is known a crime scene search for evidence can be conducted.

In cases when a child was initially believed to have been abducted or harmed, chances were good a crime scene search was in fact conducted. In the case of a missing child, the child’s home should be considered a crime scene, even if it is not the place where the child was last seen. Valuable evidence such as computers, laptops, cellphones, smartphones, tablets and other kinds of digital media may be collected from the child’s home. Other kinds of evidence, such as the child’s toothbrush, hairbrush and other personal hygiene products, may be collected for the purpose of generating a DNA profile for the missing child.

It is not uncommon to have more than one crime scene. Searches may have been conducted for the child, grave excavations attempted or a vehicle seized which was believed to have been involved in the case. Skilled crime scene investigators can view the crime scene and, with some degree of accuracy, determine the sequence of events which occurred. A crime scene tells a story, and a skilled crime scene investigator can read the story based upon evidence left at the scene. A crime scene assessment may provide a behavioral snapshot of the interaction between the victim and offender. This interaction will often produce evidence at the scene from both a forensic and behavioral perspective. The crime scene should be assessed in three stages based on the known or suspected activities of the victim and offender.

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<sup>69</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 45.

The first part of the assessment should focus on **pre-crime behaviors**, specifically the activities of the victim and offender before the commission of the crime. If investigators are able to develop a timeline of the victim's actions during this first stage of the assessment process, they will need to pay close attention to any deviations in the victim's pattern of behavior. Those deviations may indeed offer clues as to why the child became a victim.

The second part of the assessment process should focus on the **crime behaviors**, specifically the interaction of the victim and offender during the commission of the crime. This is a critical stage in the assessment process because the majority of the behaviors of the victim and offender are revealed at this stage in the assessment process. An understanding of what happened, how it happened and the all-important why it happened may be further clarified at this stage and provide additional insight into who may have committed the crime in the manner revealed. The investigator should always remember the absence of evidence is equally important as the presence of evidence at the scene of a crime.

The third part of the assessment process should focus on **post-crime behaviors**, specifically the actions of the victim and offender after the crime has been committed. Investigators should focus on clues about what may have occurred immediately after the crime was committed, such as evidence the perpetrator fled on foot or in a vehicle, as part of the assessment process. Therefore the behavioral analysis of any physical, direct or circumstantial evidence by its presence or absence will provide direction to the investigative process.

By assessing the crime scene in this manner, investigators may be able to determine the likelihood a victim and offender may have known each other. Furthermore, based upon the combination of practical investigative experience and a familiarity with the research associated with patterns of offender behavior, the assessment process may assist in identifying the personality traits of the offender and provide a suspect profile allowing the formulation of investigative and interview strategies based on that profile.

In cases when a crime scene was established and a crime scene search was conducted, the investigator should consider the merits of reconstructing the crime scene because reconstruction:

- May yield overlooked evidence.
- May be useful when presenting a case to a jury.
- Can be performed with first responders, if still available, to correctly place items that may have since been moved.
- Can be documented and released through media to try to generate leads.

Technology now exists to create a 360 degree computer generated animation of the crime scene at a fraction of the cost of actual reconstructions. And some agencies are now using equipment to process crime scenes in a manner beneficial for use with computer animation software.

## Issues/challenges with evidence review

After making the decision to do an evidence review of a long-term missing case, issues may be encountered. Below is a discussion of the most important issues to be addressed. These issues may make an evidence review less valuable or impossible to conduct. Consider:

- **Lost, destroyed or consumed evidence.** Conceivably this is the most devastating issue but the first thing to check when considering a review. Keep in mind evidence retained in containers, such as tubes or boxes housing rape kit swabs, may now be suitable for DNA examination or re-examination due to more sensitive techniques currently available. Also search and search again. Evidence has been found after it was believed to have been lost or destroyed including in places such as the medical examiner's office and crime lab.
- **Improperly stored evidence.** Determine if any evidence was improperly stored. Since temperature, humidity and unsecure packaging can destroy evidence and allow contamination rendering it unsuitable for further examination, determine what evidence is still viable to be used. Also review how all evidence is currently stored and assess if modifications should be made based on current practices and improvements to help ensure continued viability of the evidence.
- **Missing, lost or incomplete case documentation, evidence documentation or crime scene documentation.** Without knowing all the details of the case, crime scene and prior laboratory examinations, it can be impossible to determine what examinations could be probative or what evidence is probative. Without knowing the details of prior laboratory examinations conducted on an item of evidence, it is impossible to know what other examinations can be attempted and what new technologies currently available may now be employed.
- **Lack of documentation or knowledge about how evidence has been handled from the time collected to present.** Most agencies have policies in place to help ensure stored evidence is not contaminated. Knowing these policies and how they were followed is crucial when determining what new or current technologies may be contemplated now for evidence not originally examined in this way. For example when considering use of touch DNA on an item believed to have been handled only by the suspect, knowing whether it has been handled by law enforcement, crime scene/laboratory personnel or anyone else from collection to present, without gloves, will determine if this is a viable test. Not knowing how the item was handled presents the possibility of producing a result not related to the case. Thus collecting DNA from anyone who came into contact with the evidence for elimination purposes should always be considered. Or if it is determined only one such person handled the evidence, possibly a first responder who collected evidence at a crime scene in a time period before gloves were required, that person's DNA needs to be collected and compared to all DNA found on the item.
- **Multiple laboratories involved with separate findings not being consolidated.** This category can cover evidence from one case spread over multiple laboratories or multiple crimes found to be related in which the evidence was examined by different laboratories. Regardless if this is a recent or long-term case, **communication** among all agencies involved, remains vital. Reasons for evidence being divided among labs can range from the inability of one laboratory to conduct certain examinations to law enforcement agencies using designated laboratories within their agency or jurisdiction, to having a contract with a private laboratory.

There are times the original laboratory may conduct examinations on an item and then send it to a partner laboratory. For example one laboratory may not have the ability to examine trace evidence, so the evidence is sent to the partner laboratory for trace, and the original laboratory then does DNA analysis when it is returned.

At times evidence may be split before being sent to any lab so each laboratory only receives a portion of the evidence. This could be due to decisions by law enforcement as to what exams are desired on items of evidence and what laboratory is capable of doing that particular exam. This could also be done because multiple jurisdictions are involved and each agency collects evidence from different locations such as a crime scene, suspect residence and site from which the body was located and then sends it to the laboratory they routinely use. Often it is agreed all evidence will go to one location, but this is not always the case. Likewise before multiple independent cases are linked the evidence may be sent to different laboratories. **Several issues can arise from these situations as noted below.**

- **Results are never tied together.** This would most often occur when evidence was split before being sent to laboratories since, as explained above, if a laboratory initially had evidence they then sent to a partner laboratory, they would be in a better position to keep track of results. The problem here is, for example, an item of clothing is processed and examined by one laboratory and another item of clothing is processed and examined at another laboratory but items found on the clothing, such as hairs or fibers, are never inter-compared due to lack of communication. Likewise, one laboratory not knowing of an unusual result found by the other laboratory can result in an important link not being found, conceivably between the body location site and the suspect's residence.
- **Examinations are overlooked.** This could occur if a laboratory cannot conduct a certain examination, but does not send the evidence to a capable laboratory. As a result the examination is never conducted. This is often the result of a failure to consider other examinations outside of an individual laboratory's expertise.
- **Items of evidence are overlooked.** For a variety of reasons a piece of evidence is never submitted for examination or is submitted but never examined. The needed processes may not be available at the laboratory, the lab may limit the number of items examined in order to reduce case backlogs, or either law enforcement or laboratory personnel might believe the item is not probative.
- **Comparison of results may be prevented.** Another issue could be when examinations are conducted at different laboratories using different technologies, preventing valid comparisons of those different results.
- **Results actually are or seem to be contradictory.** An example would be when one lab identifies a suspect's DNA on the item they tested when additional testing by another lab excludes a suspect's DNA or includes another person's DNA on the item they tested. One lab may identify no semen on a swab when another lab finds DNA on the same swab and determines the DNA is from a male. These differences can often be explained, but they might appear to indicate a problem with the examinations and during a trial could raise concerns about the reliability of the evidence.

- **Challenging the results from multiple labs.** Some of the most difficult issues can arise if more than one lab is involved in a case. The findings from one lab could be used to challenge the findings, techniques, protocols and procedures of another lab. Questions can also arise as to why one particular lab was chosen to conduct the testing, or why more than one lab was used. Below are key areas of concern.
  - **Documentation of what laboratory examinations were conducted and by whom is lacking.** Without proper documentation it could be impossible to answer questions about who performed the testing or determine what examinations were already conducted, which examinations could still be conducted and if there have been improvements in the technology that would be appropriate to attempt.
  - **Examinations conducted by nonaccredited laboratories or results from certain laboratories not qualifying to be entered into critical databases.** Unfortunately some laboratories do not follow established protocols and procedures. This could render their results unusable in court. And some noncrime laboratories, though fully accredited, do not necessarily have access to databases such as the Combined DNA Index System or CODIS. Some private laboratories establish relationships with law enforcement crime laboratories so the crime laboratory can accept their results and enter it into CODIS. If this relationship is not established, the results can be directly compared to a suspect; however, they cannot be entered into the database and searched.
  - **Misplaced belief by investigators that everything possible has been done.** There are times when investigators who either have been involved in the case from its inception or have taken over the case but are knowledgeable of the history of the case within the department, believe everything that could be done has already been done. This becomes a hindrance to reviewing the case with an open mind. As difficult as it is the review must be completely unbiased and open to the possibility things may have been overlooked or newer techniques may now be available that were not available at the time of the initial investigation.
  - **Consultation with law enforcement crime laboratory is lacking when evidence is sent to a private laboratory.** Sending evidence to a laboratory other than the local law enforcement crime laboratory is sometimes necessary due to time constraints or technological capability. Under these circumstances a private laboratory is often used. This is perfectly reasonable at times, but the local crime laboratory should be involved in the decision making and used to confirm the examinations being requested are appropriate. The local crime laboratory should also help ensure law enforcement understands what results can be obtained. There are times when private laboratories will agree to do examinations even though they may not really be probative. And there may be a misunderstanding as to what types of results are possible. The local crime lab should help investigators understand these issues.
  - **Laboratory backlogs and prioritization of long-term missing cases.** The issue of case backlogs in crime laboratories is an enormous problem. The order in which cases are addressed constantly changes depending on circumstances such as trial dates and the severity of a crime. Prioritizing a long-term missing case in the midst of more recent,

active cases can become difficult. Accordingly these cases can remain unaddressed for long periods of time.

- **Confusion about what biometric information is available and where collected biometric information resides.** For instance is the DNA profile in the National DNA Index System or NDIS only or the State DNA Index System or SDIS as well? It is imperative as much biometric information about the missing child be collected as is available, including items with the child's fingerprints, hair and DNA. In addition, if the child's DNA is not available, DNA should be collected from as many related family members as possible beginning with the biological parents. If both parents are not available, then DNA samples should be collected from siblings and other biologically related family members. There are times when it is believed DNA samples have been collected from relatives when they were not or sufficient relatives to create a DNA pedigree for the child were not collected.

In addition there are times when DNA samples were collected, believed to be entered into CODIS and believed to be searching against unidentified remains entries in the system when in fact they are not running in the national database due to the quality of the DNA profile. As a result potential matches in the database cannot be made. Thus the investigative team needs to confirm early on during the initial investigation, periodically during the ongoing investigation and again during each review of the case that the DNA samples are correctly entered into CODIS and correctly searching against unidentified remains entries in the system.

## **Requirements for conducting the review**

In order to conduct a proper evidence review all facets of the investigation related to the evidence must be available. Simply looking at lists of evidence collected and laboratory examinations conducted is not sufficient to be able to determine what else can be done. A thorough understanding of parameters such as what took place, where it took place, what was collected and where it was collected will allow the reviewer to better understand the case and how the evidence can help in the investigation. The items listed below are required to properly review the case:

- Investigative report(s).
- All law enforcement reports, especially those from first responders.
- All reports concerning interviews conducted including statements from eye witnesses.
- All documentation contained in autopsy and medical examiner's reports such as photographs and diagrams.
- All crime laboratory report(s), bench notes and evidence listings.
- All crime scene photographs, diagrams, notes and reports.
- Evidence inventory list including postmortem evidence list from the medical examiner. This is often different from the evidence lists from the laboratory as not all evidence may have been submitted to the laboratory.
- All stored evidence.

- All documentation showing DNA reference samples from the child and family were collected, have been entered into CODIS and are searching properly.
- All documentation related to medical and dental records including any X-rays collected of the missing child.

When conducting the review specialists should be included when appropriate. These include anthropologists, dentists, botanists, geologists, behavioral specialists, crime scene investigators or technicians, forensic scientists and medical examiners.

There may be cases when the laboratory never received evidence and accordingly did no examinations. These cases should still be reviewed to see whether existing evidence was originally thought to be nonprobative or at the time of the investigation the technology did not exist to address that evidence.

Depending on when the case was initially investigated, a determination of what new forensic techniques and technologies have been developed may provide new avenues to pursue. In addition to looking at new technologies, explore improvements to instrumentation and protocols along with any new developments in the investigation. Such a review may provide a reason to now conduct examinations not previously done.

The advent of a variety of databases not existing years ago and improvements to those that did provides another reason for revisiting the evidence. Additionally the passage of time allows for suspects or items of evidence, depending on the database, not originally in these databases to have been entered in the interim. This now provides the possibility of identifying the suspect.

**Note:** The following information is not exhaustive, but highlights some examples of recent developments in various fields of forensic science.

**Figure 4-1**

<b>Emerging technologies</b>	
<b>Crime scene documentation</b>	
<p>The use of 360 degree crime scenes<sup>70</sup> and its documentation:</p> <ul style="list-style-type: none"> <li>■ Supplements traditional still photography.</li> <li>■ Creates a virtual tour of the scene.</li> <li>■ Enables an investigator or prosecutor to figuratively visit the scene as it was found. This is helpful for those not initially assigned to the case or having the opportunity to initially visit the crime scene.</li> </ul>	

<sup>70</sup> For more information see Tony Nguyen, "Crime scene 360," *Forensic Magazine*, April 12, 2013, accessed Feb. 1, 2016, [www.forensicismag.com/articles/2013/04/crime-scene-360](http://www.forensicismag.com/articles/2013/04/crime-scene-360).

## DNA collection

Microbial vac systems:

- Use wet vacuum principles to collect DNA material from a variety of surfaces such as fabric, clothing, carpet and walls.
- Are employed when traditional collection methods, such as swabbing, taping, scraping and cutting, have not yielded results.<sup>71</sup>

## DNA technologies

Expanded set of core STR markers/loci, the specific location of a gene, DNA sequence or position on a chromosome. Studies are underway to expand the core loci for the U.S. beyond the current 13 CODIS loci. This expansion has the potential to increase the discrimination power to assist with missing person cases.<sup>72</sup>

## Routine or high copy number DNA testing

This testing technique is used for generating DNA profiles from human tissue or bone in body identification cases. It is:

- Best suited for evidence containing blood, semen or saliva.
- Commonly used when needing to test in situations involving biological stains from evidence, the mouth of a bottle or a cigarette butt.

## Low copy number DNA testing

Low copy number or LCN-DNA testing is a specialized technique used to identify DNA contributors from challenging biological samples which may be degraded, inhibited or of a minute quantity. This is also referred to as low template DNA testing or touch/trace DNA testing. It examines the same regions of DNA as routine high copy number or HCN testing noted above and uses the same procedures; however, those procedures are slightly modified to increase sensitivity. The LCN-DNA profile can be compared to all other DNA profiles whether they are from evidence or known exemplars.

Sample evidence possibly benefitting from LCN testing includes:

- Clothing whether looking for who wore it or someone who just grabbed it.
- Evidence such as weapons, tools and a single fingerprint.
- Points of exit and entry such as window sills and door knobs.
- Items used to bind victims such as cord, rope, wire, zip-ties and tape.
- Items of a personal nature such as a purse, wallet, ID, jewelry, contact lenses, comb and brush.
- Objects touched such as office supplies, keys, telephones, cellphones, smartphones and glasses.

<sup>71</sup> For an example of a commercial product related to this topic visit [www.m-vac.com](http://www.m-vac.com). NCMEC does not endorse or assume responsibility or liability for or make any representations or warranties regarding content or any products or services offered by third parties. NCMEC does not intend links contained in this figure to be referrals to or endorsements of the linked entities or their products or services.

<sup>72</sup> For more information about this topic see Victor Walter Weedn and John W. Hicks, "The unrealized potential of DNA testing," *National Institute of Justice Research in Action*, June 1998, accessed Feb. 1, 2016, [www.ncjrs.gov/pdffiles/170596.pdf](http://www.ncjrs.gov/pdffiles/170596.pdf).



### Mini STRs

Mini STR testing can be implemented when there is limited quality or quantity of DNA recovered from evidentiary items. Old or degraded evidence may benefit from this type of testing.<sup>73</sup>

### Next generation sequencing

Next generation sequencing allows for obtaining a large amount of DNA sequence information from many markers at the same time. Simultaneous typing of markers is currently done separately such as nuclear DNA typing and full mitochondrial genome sequencing.<sup>74</sup>

### Rapid DNA

Rapid DNA is a fully automated and hands-free process using commercial instruments to develop a CODIS core STR profile from a reference sample, such as from a buccal swab, within a short time period. Currently this is not being applied to crime scene or forensic samples because these samples may not be amendable to automated processing due to limited quality and quantity.<sup>75</sup>

### Single nucleotide polymorphism typing

Single nucleotide polymorphism or SNP typing is a type of DNA testing utilized when there is limited quality or quantity of DNA recovered from evidentiary items. It has the potential to be used to determine physical features such as eye and hair color. Certain patterns of SNPs are common in different lineages so ancestry determination may be possible. This may also assist in determining a relationship between an unidentified person and a missing person when the family pedigree tree is suboptimal or only consists of a single sibling.<sup>76</sup>

When looking for DNA samples, consider trying to obtain the missing child's newborn heel stick sample or PKU/Guthrie card if available. This card is used to test the blood of newborns for congenital metabolic disease and is an excellent source of DNA which is verified as coming from the missing child. See Page 89 for a listing of locations, by state, where PKU/Guthrie cards are maintained and the length of time they are retained.

## Forensic databases

There are many forensic databases available to law enforcement. They are listed below along with a brief summary of their functions.

The **Combined DNA Index System or CODIS** is maintained by the FBI. It is an electronic database of DNA profiles and combines computer technology and forensic science. The National

<sup>73</sup> For more information about this topic see "Forensic DNA: Compromised evidence," accessed Feb. 1, 2016, [www.nij.gov/topics/forensics/evidence/DNA/research/pages/compromised-evidence.aspx](http://www.nij.gov/topics/forensics/evidence/DNA/research/pages/compromised-evidence.aspx).

<sup>74</sup> For an example of a commercial product related to this topic visit [www.illumina.com/documents/products/illumina\\_sequencing\\_introduction.pdf](http://www.illumina.com/documents/products/illumina_sequencing_introduction.pdf).

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<sup>75</sup> For more information about this topic visit [www.fbi.gov/about-us/lab/biometric-analysis/codis/rapid-dna-analysis](http://www.fbi.gov/about-us/lab/biometric-analysis/codis/rapid-dna-analysis).

<sup>76</sup> For more information about forensic DNA from compromised evidence visit [nij.gov/topics/forensics/evidence/DNA/research/pages/compromised-evidence.aspx](http://nij.gov/topics/forensics/evidence/DNA/research/pages/compromised-evidence.aspx).

DNA Index System or NDIS is one part of CODIS. It houses and searches DNA data from federal, state and local forensic laboratories. STR, Y-STR and mitochondrial DNA profiles can be entered into appropriate indexes for searching purposes. For more information about this database visit [www.fbi.gov/about-us/lab/codis/codis](http://www.fbi.gov/about-us/lab/codis/codis).

The **Forensic Information System for Handwriting or FISH** is maintained by the U.S. Secret Service. It allows text writings, such as threatening correspondence, to be scanned, digitized and compared against images in a database. For more information about forensic services from this agency visit [www.secretservice.gov/investigation/#forensic](http://www.secretservice.gov/investigation/#forensic).

The **International Forensic Automotive Paint Data Query or PDQ** is maintained by the Royal Canadian Mounted Police. It contains chemical and color information about automotive paints submitted by automotive manufacturers as well as from forensic laboratories and law enforcement agencies. Known paint samples within the database are available for comparison against samples recovered from crime scenes or suspect vehicles. For more information visit [www.rcmp-grc.gc.ca/fsis-ssji/paint-peinture-eng.htm](http://www.rcmp-grc.gc.ca/fsis-ssji/paint-peinture-eng.htm).

The **National Automotive Paint File** is maintained by the FBI. It contains samples of automotive paint from manufacturers. Paint chips from cars can be compared to samples in the database. For more information about laboratory services from this agency visit [www.fbi.gov/about-us/lab/scientific-analysis/chem](http://www.fbi.gov/about-us/lab/scientific-analysis/chem).

The **National Integrated Ballistic Information Network or NIBIN** is maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives. It is an automated digital imaging system and uses digital images of shell casings to link crimes involving firearms. For more information about this database visit [www.atf.gov/firearms/national-integrated-ballistic-information-network-nibin](http://www.atf.gov/firearms/national-integrated-ballistic-information-network-nibin).

## **Familial searching**

Familial searching is an additional search of a database conducted after a routine search has generated no DNA profile matches. A typical DNA database search involves searching the DNA profile from a crime scene, normally representing the unknown perpetrator of the crime, against a database of known individuals, usually convicted offenders and arrestees. When a match occurs, law enforcement investigators are provided the name of the perpetrator. However, if there isn't a match, then the perpetrator may not be in the database. Until a few years ago the only recourse in the event there were no matches would be to wait for the perpetrator to be added to the database at a future date.

But recently tools have been developed to search for a relative of the perpetrator when the actual perpetrator is not in the database.<sup>77</sup> This is possible because close relatives, such as a parent-child

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<sup>77</sup> For a detailed description see Steven P. Myers, Mark D. Timken, Matthew L. Piucci, Gary A. Sims, Michael A. Greenwald, James J. Weigand, Kenneth C. Konzak and Martin R. Buoncristiani, "Searching for first-degree familial relationships in California's offender DNA database: Validation of a likelihood ratio-based approach," *Forensic Science International: Genetics*, 5, 2011, 493-500.

or siblings, share a significant amount of their DNA that is not shared with unrelated persons. Since there is not an exact match to the crime scene profile, a familial search looks for close matches that can then be further evaluated and generates a list of individuals from the database who could be a close relative of the perpetrator. Initially this list is ranked statistically in order to focus on only those individuals who are most likely to be a relative. Then additional DNA testing, such as Y chromosome analysis, further narrows the list of possible relatives. If after additional DNA testing a person still cannot be excluded as a relative of the perpetrator, then further investigation is performed. For example if the database sample is from someone who is too young to have committed the crime in question, it is possible that child's parent is the perpetrator. In this case further investigation of the parent would be carried out to determine if he is a viable suspect. The investigation would lead to the collection of a DNA sample, often surreptitiously, from the suspect to compare directly to the crime scene profile. If the profiles match then the familial search was successful.

**Note:** Familial searches are not conducted at the national level in the NDIS of CODIS, and only a small number of states conduct this type of search; therefore, consult with your lab personnel to determine your state's practices. For more information about this topic visit [www.fbi.gov/about-us/lab/biometric-analysis/codis/familial-searching](http://www.fbi.gov/about-us/lab/biometric-analysis/codis/familial-searching).

## **Conclusion**

Conducting a forensic review can be extremely beneficial for a case. Physical evidence may be the only aspect of the investigation that, if collected properly, handled properly and stored properly, has not changed over the years. The advent of completely new areas of testing, more sensitive instrumentation, new and improved procedures for processing evidence along with finding overlooked or incomplete testing all have the potential of providing new information. This can either steer the investigation in a new direction or include or exclude already existing suspects. However, forensics is just one tool to be used alongside investigations, interviews, behavioral analysis and many other techniques. New information, new suspects, suspects ruled out and additional or new information concerning the victim can all help determine which items of evidence may or may not provide probative information.

## **Additional references**

In addition to the citations noted in the footnotes throughout this chapter, below are reference materials containing more information about these topics.

Robin Bowen and Jessica Schneider, "Forensic Databases: Paint, Shoe Prints, and Beyond," *NIJ Journal*, Issue No. 258, October 2007.

"Grim Sleeper: How LAPD followed the DNA to an arrest," *Los Angeles Times* online, July 8, 2010, [latimesblogs.latimes.com/lanow/2010/07/how-dna-led-to-the-arrest-of-the-grim-sleeper.html](http://latimesblogs.latimes.com/lanow/2010/07/how-dna-led-to-the-arrest-of-the-grim-sleeper.html).

“Recommendations from the SWGDAM Ad Hoc Working Group on Familial Searching” and “SWGDAM Guidelines for Missing Persons Casework,” Scientific Working Group on DNA Analysis Methods available at [www.swgdam.org](http://www.swgdam.org).

# Chapter 5: Child abductions involving long-term confinement

by Mark Hilts, Kristen Slater and Jennifer Eakin

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## Introduction

Figure 5-1

### Composite case example

Twelve-year-old Sara was walking home from school when a van pulled up beside her. Sara paused on the sidewalk as a woman about her mother's age smiled at her from the passenger seat and asked for directions through the open window. As Sara left the sidewalk to approach the vehicle, the male driver stepped out of the van and walked around to where Sara was politely conversing with the woman. Out of the corner of her eye, Sara observed the man was on crutches. He seemed harmless as he hobbled forward, but without warning he slid the side door of the van open and shoved Sara into the van. He quickly produced a gun and told her he **would** use it if she didn't cooperate. Sara had never seen a real gun up close. She was terrified and disoriented. Bindings were quickly used to secure her wrists and ankles. The door was slammed shut, and Sara felt the van slowly pull away from the curb into traffic.

In the scenario outlined above an abduction has just taken place. If there are no witnesses to this abduction, this incident would not be reported to the authorities until a family member or other caregiver noticed possibly hours later – Sara was missing and sounded the alarm. Law

enforcement would then be faced with one of the most challenging investigative dilemmas: the unexplained disappearance of a child.

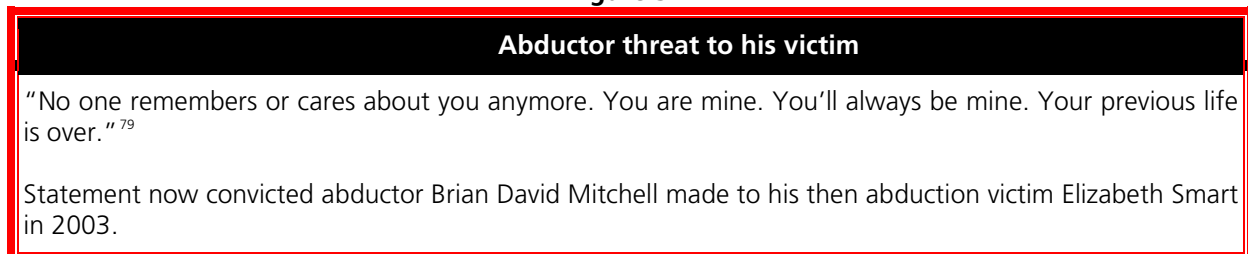
The composite case described above is an example of a nonfamily abduction of a school-aged child, which are predominantly sexually motivated crimes and most often result in the victim being sexually assaulted and released, with a much smaller number being sexually assaulted and murdered.

The reality is most nonfamily child abductions are generally over relatively quickly, with victims actually spending a minimal amount of time under the control of the offender. In a sexually motivated abduction offenders will often immediately move the victim to the nearest area of perceived privacy where they can act on their most urgent sexual desires, usually releasing the victim shortly afterward. Cases involving the death of an abducted victim, while rare, are also relatively short in duration. Research reflects approximately three-fourths of children who are murdered by their abductors are killed within three hours of being abducted.<sup>78</sup>

However, there are a small number of nonfamily child abductions with a drastically different outcome. These are cases in which offenders abduct children with the intention of holding them captive for an extended or indefinite period of time during which they will use them for sexual gratification. While relatively few in number when compared to nonfamily child abductions in general, these long-term abductions have some unique dynamics presenting significant challenges to the law enforcement agencies investigating them.

This chapter discusses the very narrow category of long-term nonfamily child abductions primarily sexually motivated in which the intent of the offender is to keep the victim for some significant period of time, shortened in this chapter to “long-term abduction.” While there is no minimum time frame associated with long-term abductions, their duration is generally measured in days, months or years rather than in hours. Offenders in this type of case are not simply looking for immediate sexual gratification; they are seeking a long-term captive – someone they can control and manipulate for as long as they want.

**Figure 5-2**



<sup>78</sup> Brown et al., *Investigative Case Management for Missing Children Homicides*, 13.

<sup>79</sup> Elizabeth Smart and Chris Stewart. *My Story* (New York: St. Martin's Press, 2013), 272.

In a **nonfamily** abduction the relationship between the offender and victim can range on the continuum from stranger to acquaintance to friend. The closer the relationship between the offender and victim, the more likely the offender will be identified and become the focus of the investigation. This often results in a shorter period of captivity for the victim. Whereas the most confounding cases involve a scenario in which the abductor is a stranger or slight acquaintance and the abduction is unwitnessed, sometimes resulting in years of confinement for the victim.

The authors acknowledge there are other types of long-term abductions committed by nonfamily offenders such as infant abductions and ransom abductions; however, the dynamics and motivation for those crimes differ significantly from those associated with the long-term abductions which are the focus in this chapter.

The three examples listed below help illustrate the potential range of circumstances, including age, gender, duration and relationship, among cases meeting this chapter's criteria for long-term abductions.

**Figure 5-3**  
**Three example types of long-term abductors<sup>80</sup>**

<b>Michael Devlin</b>	In 2002 Michael Devlin, age 36, sideswiped an <b>11-year-old boy</b> who was riding his bicycle near his home in Missouri. Once the boy was unseated and on the ground, Devlin jumped out of his vehicle, scooped the boy up and drove to his apartment, also in Missouri, where he kept the boy for more than <b>four years</b> . Devlin was <b>a complete stranger</b> to the boy at the time of the abduction. The victim was rescued in 2007, shortly after Devlin became a suspect in the kidnapping of another young boy. Devlin was charged with abduction and multiple counts of sexual assault in connection with both victims.
<b>Stranger</b>	
<b>Scott Tyree</b>	In 2002 Scott Tyree, age 31, <b>engaged in hours of online conversation</b> with a <b>13-year-old girl</b> over several months. Tyree eventually lured her to a meeting near her home in Pennsylvania, abducted her and took her to his Virginia home where he sexually assaulted her and kept her chained to the floor with a collar secured around her neck. She <b>was rescued after four days</b> in captivity when an Internet user contacted authorities after he recognized a picture Tyree had posted of the abducted child whose missing episode had been widely publicized in the media.
<b>Online acquaintance</b>	

<sup>80</sup> The Devlin case summary is adapted from the CBS News airing of "48 Hours Mystery: Shawn Hornbeck – Kidnapped," June 16, 2009, [www.cbsnews.com/news/kidnapped-shawn-hornbeck](http://www.cbsnews.com/news/kidnapped-shawn-hornbeck). The Tyree case summary is adapted from the Transcript of Testimony of Victim before the Committee on the Judiciary House of Representatives Oct. 17, 2007, [www.gpo.gov/fdsys/pkg/CHRG-110hhrg38335/html/CHRG-110hhrg38335.htm](http://www.gpo.gov/fdsys/pkg/CHRG-110hhrg38335/html/CHRG-110hhrg38335.htm). The DiMaggio case summary is adapted from "NBC TODAY SHOW," Interview with Hannah Anderson by Savannah Guthrie, Oct. 10, 2013, [www.today.com/video/watch-savannahs-full-interview-with-hannah-anderson-53352515640](http://www.today.com/video/watch-savannahs-full-interview-with-hannah-anderson-53352515640).

James  
DiMaggio

Family  
friend

In 2013 James DiMaggio, age 40, allegedly abducted a **16-year-old girl** and took her from California to the wilds of Idaho shortly after he allegedly murdered her brother and mother and set fire to his house to cover-up the homicides. DiMaggio had been a **long-time friend of the family** for almost 16 years before the crime. DiMaggio allegedly told the victim he had a **crush** on her – an admission which made her uneasy. The victim was rescued after **eight days** when an individual's report led authorities to the suspect. When confronted by law enforcement the child was rescued, and DiMaggio was killed during a shootout.

## Offender considerations

Offenders in these cases are not simply looking for immediate sexual gratification – they are seeking a long-term captive.

*Offenders in these cases are not simply looking for immediate sexual gratification – they are seeking a long-term captive.*

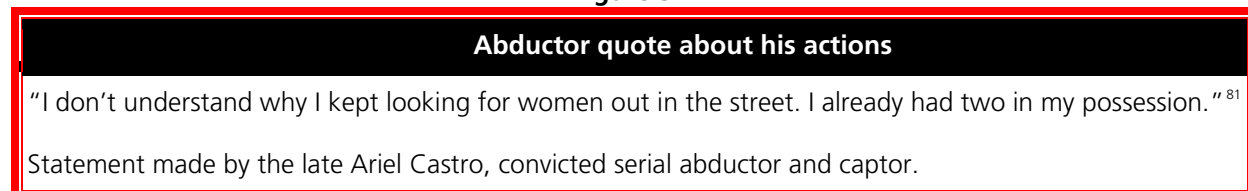
There is no specific profile of a long-term abductor, and past offenders have exhibited a variety of personalities and backgrounds. While neither the FBI nor National Center for Missing & Exploited Children® or NCMEC has conducted comparative research on this small subset of nonfamily abductors who capture and confine their victims for sexual gratification, an informal review of some well-known, long-term cases reflects potential commonalities among these offenders. These commonalities are provided here for consideration by investigators of suspected long-term abductions with the caveat that they will have to be subjected to additional scrutiny through formal research. In the subset of well-known, long-term abduction cases reviewed by the authors:

- Most offenders were white and male. While several well-known cases have involved a female co-conspirator, as illustrated in the “Composite Case Example” in Figure 5-1 on Page 109, if not for the male perpetrator, it is all but certain the crime would not have been committed. When a female was present and participating, she typically served to support the deviant sexual needs of her male partner even if doing so meant facilitating the abduction of a child.
- Many of these offenders possessed elevated social skills and were highly manipulative. Not only did these offenders often fail to demonstrate the **typical** indicators of deception when confronted, they also had the confidence to go on the offensive when challenged by an authority figure.
- Many of these offenders were able to compartmentalize their lives so they could maintain the appearance of normalcy by interacting with co-workers, neighbors, friends and family members without raising suspicion. And they did this all while holding captives, sometimes for years. See Figure 5-6, on Page 117, regarding the concept of being hidden in plain view.



- There was significant diversity in the formal criminal histories of these long-term abductors, ranging from little or no documented history to extensive and violent criminal histories.
- Many of these offenders had relatively stable living and/or employment situations. The long-term confinement of a victim was more easily accomplished because the abductor previously established a location offering some degree of privacy and security.
- Some of these offenders engaged in extensive fantasy or mental rehearsal in preparation for the capture and confinement of a victim. They may also have collected pornography consistent with their deviant sexual fantasies focusing on capture and conquest. **Note:** Search warrants should always include the possible existence of this kind of corroborative evidence.
- Many of these offenders did not think the crime through to its logical conclusion and had no endgame.
- Some of these offenders also abducted, confined and sexually assaulted adults as well as children. In other words these offenders were not necessarily **exclusively** focused on children.
- Many of these offenders used weapons and restraints during the abduction and/or during the captivity. These weapons and restraints may have continued to be used throughout the confinement or may have been abandoned as time went on.
- Many of these offenders embraced a world view seeing human beings as objects and possessions. Consistent with this is a narcissistic outlook in which the offender's needs outweighed the needs of everyone else. **Note:** This mindset may well have disrupted past intimate relationships, so investigators should be sure to look for former partners who may have useful information about a suspected offender.

Figure 5-4



## Traumatic bonding considerations

One aspect of long-term abductions, which is little understood by law enforcement officers, the courts, the public and even family members of victims, is the unusual bond that may develop between the offender and victim – a bond forged in extreme fear. In a handful of cases involving long-term abductions it **appears** some victims may have had an opportunity to escape their abductors or alert outsiders to their situation during their captivity. As a result one of the first questions asked upon the victim's recovery is, "Why didn't the child leave?" The answer is complex. To begin to answer this question we look to researchers and mental health practitioners who have observed responses in people who experience a wide variety of traumatic situations.

<sup>81</sup> Amanda Berry, Gina DeJesus, Mary Jordan and Kevin Sullivan, *Hope: A Memoir of Survival in Cleveland* (New York: Viking Penguin, 2015), 270. According to Dr. Gregory Saathoff, a psychiatrist associated with the University of Virginia who reviewed Castro's writings and testified as an expert witness at Castro's sentencing, this statement was written by Castro in 2003 after he had abducted two victims and before he had abducted his last victim.

Figure 5-5

**Statement from a recovered victim: “Don’t ask me why”**

“No one has the right to ask why I didn’t run or why I didn’t scream. It is wrong and frankly offensive to even ask that question because you weren’t there and you don’t know what it’s like.”

Statement made by recovered victim Elizabeth Smart in an interview with journalist Meredith Vieira in 2013.

People who have endured traumatic events often suffer predictable psychological harm. Single traumatic events can occur anywhere and at any time. Prolonged or repeated trauma occurs under more extraordinary conditions.

When humans are faced with a dangerous situation, the body automatically answers with a fight, flight or freeze response. All three responses have adaptive value aimed at surviving the threat. Most people are familiar with the fight or flight response. However, the third possibility, the freeze response, is not always well understood,<sup>82</sup> particularly as it may be manifested in the context of a long-term abduction. In fact the freeze response may explain why a child does not self-identify even when there appears to be an opportunity to do so as during questioning by law enforcement or a potential rescuer. If the abductor is close by, it may be even more likely the child will be frozen into silence. During the course of an abduction and extended confinement all three of these responses would conceivably come into play and potentially on a daily basis.

The psychological harm suffered by victims can be explained, in part, by the biological processes triggered in response to a perceived threat. The brain’s message center causes the release of neurochemicals, which in turn causes the heart to beat faster pushing more blood to muscles, the heart and vital organs. Breathing and blood pressure increase, blood vessels constrict and the body begins to sweat. These automatic changes in arousal, attention, perception and emotion are normal and these adaptive responses allow humans to effectively protect themselves in dangerous situations. However, when people have endured repeated or prolonged trauma, this typically useful system of self-preservation appears to go on permanent alert leaving the individual in a constant state of hypervigilance. The victim’s baseline level of arousal is significantly increased. Operating in a constant emergency mode can exact a toll on the mind and body. As a result there may be sleep disruptions, an exaggerated startle response and an intense reaction to specific stimuli associated with the trauma. These symptoms may persist long after the original trauma. Everyone experiences stress differently, but chronic trauma is likely to produce profound and possibly lasting changes in physiological arousal, emotion, cognition and memory.

Long-term abductions fall into the category of prolonged and repeated trauma. The dynamics of long-term abductions involve the victims being held captive for lengthy periods of time resulting

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<sup>82</sup> See, for example, Norman B. Schmidt, J. Anthony Richey, Michael J. Zvolensky and Jon K. Maner, “Exploring Human Freeze Responses to a Threat Stressor,” *Journal of Behavior Therapy and Experimental Psychiatry*, 39(3), 292-304.

in an extended period of contact with his or her captor. In captivity the victim relies on the abductor for everything and he or she becomes the most powerful person in the victim's world, almost omnipotent.<sup>83</sup> As a result a unique bond ultimately develops. This bond is not based on a healthy attachment, but rather one born of fear, coercion and threats combined with the victim's need for survival.

The methods used to control victims in captivity are remarkably consistent, whether in a long-term abduction or one of the other aforementioned traumatic situations. The methods are based on systematic and repetitive infliction of psychological fear, meant to generate terror and helplessness.<sup>84</sup> Violence is universally accepted as a method of instilling terror, but the threat of violence, whether it's directly targeting the victim or against another individual such as the victim's family, friends or pets, is also an effective means of control. The victim's fear increases when offenders are inconsistent or unpredictable in their perpetration of violence.<sup>85</sup>

Sexual violence and the fact the offenders have specifically abducted their victims for sexual abuse is another significant source of trauma for the victims. Victims are at the mercy of offenders who exert their dominance, control and power over them by exposing them to frequent and repeated sexual assaults. These sexual assaults serve to humiliate, degrade and demoralize victims.

The offender controls almost every aspect of the victim's existence. From the moment the victim is captured, the offender dictates the exercise of even the most intimate of bodily functions including when and what the victim eats; when, where and with whom the victim sleeps; when the victim uses the restroom and bathes – the offender controls it all. The victim loses any sense of autonomy and is completely reliant on the offender for everything.<sup>86</sup> Although counterintuitive, the offender may also exhibit positive and affectionate behaviors further confusing the victim.<sup>87</sup>

In addition offenders may exert control by eradicating the victim's past identity and suggesting the victim is now damaged goods and as such is no longer wanted by his or her family. This form of isolation erodes the victim's confidence in previous attachments to loved ones and serves to make the victim feel alone and hopeless.<sup>88</sup> In some cases offenders give the victims new names and will not allow them to refer to themselves by their old names. This further dehumanizes victims. At the same time victims become increasingly dependent on the offender. Not only do they rely on the offender for their basic survival, they begin to rely on him or her for emotional support as well. Without other human companionship, victims may look to the offenders for some semblance of compassion and kindness. An attachment begins to form. This attachment

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<sup>83</sup> Judith Herman, *Trauma and Recovery: The aftermath of violence – from domestic abuse to political terror* (New York: Basic Books, 1997), 75.

<sup>84</sup> Herman, *Trauma and Recovery*, 77.

<sup>85</sup> Herman, *Trauma and Recovery*, 77.

<sup>86</sup> Herman, *Trauma and Recovery*, 77.

<sup>87</sup> Herman, *Trauma and Recovery*, 78.

<sup>88</sup> Herman, *Trauma and Recovery*, 80.

between offenders and victims is an adaptive response.<sup>89</sup> Prolonged isolation and dependency, punctuated by intermittent and unpredictable application of reward and punishment, may create a paradoxical but powerful emotional bond known as traumatic bonding. This bonding is not a conscious or logical thought process but rather an instinctual survival mechanism. While the victims unquestionably fear their captor, they also have learned to view him or her as a source of survival.

Further complicating this dynamic in long-term abduction cases is the age of the victim. The dynamics seen in traumatic bonding develop regardless of age, but children are even more vulnerable as they are developmentally, cognitively and emotionally immature. They are more likely to develop pathological attachments to the offenders who abuse and neglect them. Their ability to make sense of their surroundings and the situation they are faced with is adversely impacted by their relative capacity to truly understand it.

In addition to this complicated relationship and the psychological toll it can take, chronic trauma suffered by victims of long-term abductions can cause other physiological challenges such as depleted immune functioning, inhibition of growth, depressed digestive and reproductive functioning, and recall issues with memory.<sup>90</sup> These challenges cause further difficulties for victims.

Noted early in this discussion of traumatic bonding was the **apparently** inexplicable behavior of the victim. Why didn't the victim leave when he or she had the opportunity to do so? The complex emotional relationship developing with time between the offender and victim may interfere with the victim's ability to even **perceive** the opportunity much less act on it. Even more confusing to the victim is the knowledge the offender has managed to fool everyone and live a duplicitous life. This knowledge makes the offender even more powerful in the mind of the victim.

Long-term abductions are challenging cases for many reasons. Trauma bonding is a phenomenon seen in many long-term abductions, the dynamics of which must be generally understood by criminal justice professionals. It may affect the victim's ability to self-identify when questioned by law enforcement, provide a complete and accurate narrative when the captivity ends, aid in the prosecution and recover from the experience.

## **Investigative considerations**

One of the challenges associated with the investigation of long-term child abductions is at the outset they do not look any different from other reported child abductions or episodes in which a child is missing. There is often nothing in the initial abduction report providing any indication as to the ultimate intention of the offender and whether he or she plans to release the victim quickly, kill the victim or hold the victim captive for an extended period of time. In many cases the abductions are unwitnessed and victims are simply missing with no initial indication of whether the episode is based on voluntary or involuntary actions taken by the missing child.

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<sup>89</sup> Herman, *Trauma and Recovery*, 81-82.

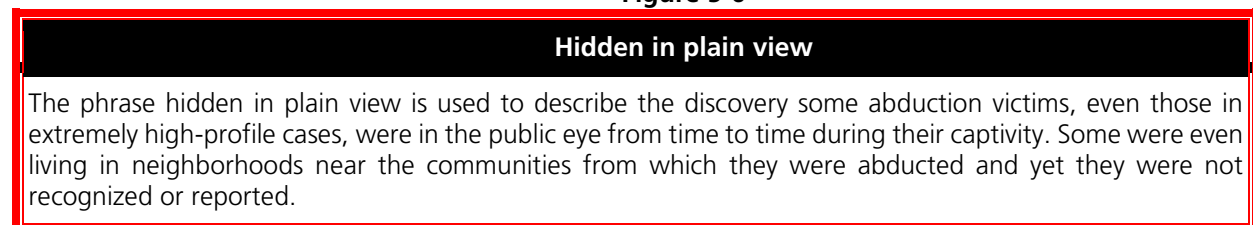
<sup>90</sup> Herman, *Trauma and Recovery*, 86.

Comprehensive victimology information, as noted in the “Victimology” Section beginning on Page 52, should assist with this assessment. Nevertheless after a child has been missing for several days, weeks or months, investigators may not know whether they are searching for a deceased child or a child who is being held captive at some unknown location. Since long-term abductions are very rare, significant investigative resources are often dedicated to the search for a deceased victim, since this is generally believed to be the more likely scenario as time goes by. However, while it is appropriate to conduct logical investigation to locate a deceased child or potential murder victim, investigators are reminded until a victim is located deceased all possibilities should remain under consideration – including the possibility the victim is still alive and being held captive.

The investigative recommendations outlined in “Chapter 3: Investigative practices, policies and principles” beginning on Page 36 or the FBI’s *Child Abduction Response Plan*, available from local FBI field offices, generally provide the best opportunity for quickly resolving a case and preventing it from turning into a protracted investigation. However, once it has moved into this category, and in view of the unique dynamics of long-term abductions, the following observations and suggestions specific to child abductions involving long-term confinement are provided to reinforce and supplement those recommendations:

- **Leads.** All leads in a child abduction case should be followed to their logical conclusion, even those not initially seeming to be of high value. For example the report a kidnap victim was seen walking out in public after being abducted may seem illogical. Accordingly investigators may decide not to follow up on the report or to do so in only a limited fashion. In long-term abductions, however, it is plausible captors may allow their victims to go out in public in limited situations. Thus seemingly illogical leads could in fact be valid sightings of the victims. While it is imperative investigators prioritize leads and assign resources accordingly, all leads, even those initially appearing to be insignificant, should be documented and thoroughly investigated.

Figure 5-6



- **Communication.** Investigators should ensure there is good communication regarding the status of the case, both within their own department and with surrounding agencies. Patrol officers and other department personnel not directly engaged in the investigation should be kept apprised of any changes or new information in the case and have copies of the victim’s photograph and description. It is likely if a tip is received regarding a possible sighting of the victim, uniformed patrol officers will be the first responders to the scene. To be better prepared for such an encounter, officers should be trained in the basic concepts of trauma

bonding and how it may prevent victims from coming forward, readily identifying themselves and asking for help.

- **Contact.** In the event a law enforcement officer finds him- or herself in contact with a possible victim out in public, one of the first steps he or she should take is to physically separate the victim from the suspected abductor. If the abductor is present for any questioning of the victim, the victim may not feel comfortable giving truthful responses, even regarding his or her own identity. This is due to the effects of trauma bonding as well as past violence carried out by the offender and/or threats made by the offender toward the victim. Therefore, if there is reasonable suspicion an individual is actually an abduction victim, law enforcement officers should take steps to separate the potential victim from the offender, using methods consistent with the laws and practices of their jurisdiction, and conduct any questioning of the victim in a location out of sight and hearing of any possible or suspected offender(s).
- **Supportiveness.** Once out of reach of the offender, law enforcement should recognize the victim has been continually threatened with violence in the event of any disclosure. First responders trying to elicit some confirmation of a potential victim's identity should be reassuring, supportive and above all patient. To increase the probability of disclosure, victims should be made to feel safe and secure. Sometimes trauma can inhibit verbalization, and writing may be an alternative form of communication offered to the victim. Consult with a child forensic interviewer as soon as practical for advice and recommendations.
- **Nondiversion.** During the course of searches, interviews and other investigation into suspected abductors, officers should not allow themselves to be diverted from their suspicions or from conducting logical investigation of suspected offenders. Some long-term abductors have proven to be skilled at diverting investigations and preventing searches and/or in-depth interviews by coming up with plausible explanations for whatever brought them to the attention of law enforcement. Investigators should ensure all searches, interviews and other leads are followed to their logical conclusion.
- **Longevity.** Some long-term child abduction investigations last for years. The high level of support provided in the initial stages of the case will not last forever. Often just the primary investigator, perhaps supported by a few others within his or her unit, will be responsible for the long-term investigation once the other resources are reassigned for their usual purposes. Eventually new investigators will be brought into the case to replace reassigned or retired original investigators. This can be a positive step as new investigators can often bring fresh ideas and different perspectives to a case. However, it is recommended some continuity with the original investigators be maintained. There are some details in every case not documented in a file and only known by the investigators. If possible, as the case ages, a combination of original investigators and newly assigned investigators should work the case jointly.
- **Goal.** The primary goal of a child abduction investigation is the safe recovery of the victim. When this goal is achieved, and the victims of long-term abductions are recovered, it is often a time of celebration for the victim, his or her family, the investigators and the entire community. However, when victims have been held captive, regardless of the length of time, there are some challenges to address upon their recovery. The care of the victim is the first priority. The victim will need both short- and long-term medical, emotional and psychological support. There are also investigative and prosecutive issues needing to be addressed, which

will influence how the victim is handled, particularly immediately following the recovery. Law enforcement agencies have to obtain enough information to arrest the offender; ensure the safety of any other victims; secure all pertinent crime scenes; and identify all potential victims, witnesses or suspects. Prosecutors must ensure they have the information needed to proceed with the preliminary stages of the prosecution. The process of obtaining the information required by the authorities in order to hold the offender(s) responsible for their actions can at times be at odds with the physical and emotional care of the victim. Authorities should strive to seek a balance between these two competing priorities and obtain the information necessary to prosecute the offender in a manner most unobtrusive to the victim as possible. FBI victim specialists and child/adolescent forensic interviewers can provide considerable assistance to law enforcement agencies working with recently recovered survivors of long-term abductions.

## Media considerations

One of the most important factors in the investigation of any missing child case is effective use of the media. Information provided by the public is often crucial to the resolution of a case. In suspected long-term abductions there are specific messages law enforcement agencies can deliver through the media that are particularly pertinent in these types of cases. As in all child abduction cases, multiple forms of media should be used including TV, newspapers, mailings, posters, billboards, social networking websites and missing child websites such as the one hosted by NCMEC, at [www.missingkids.org](http://www.missingkids.org), and other clearinghouses for missing children. This will help ensure the widest possible audience for the messages. Additionally, since it is unknown what forms of media the victim may have access to, using a wide variety of media outlets will increase the chances the victim will see and receive the message.

Figure 5-7

Victims' exposure to media while being held captive
Many abducted children who are held captive have access and/or are exposed to some form of media during their captivity.
Finding of the National Center for Missing & Exploited Children's "Time To Bring Them Home" summit held in April 2014.

Below are some suggested messages that can be delivered to targeted audiences via the media in suspected long-term abduction cases.

## Messaging

### The victim

The media can be used to deliver the message to the victim he or she is still loved and missed by his or her family and the search will never cease. One of the means offenders may use to control their long-term victims is to tell them their families do not care about them anymore and no one is looking for them. This can undermine the victims' will to escape captivity and could be a factor

in situations such as those described previously in which victims will deny their true identity when questioned by law enforcement or other individuals. Personalized messages from family members and friends, human interest stories about the victim, coverage of public vigils for the victim and statements from law enforcement about the investigation, can all be used to communicate to the victim he or she has not been forgotten. This will hopefully provide some level of comfort to the victim and may encourage him or her to speak up or even escape if the opportunity arises.

### **The public**

In addition to communicating with the victim, the media can also be used to communicate with the public in an attempt to reach potential witnesses. In the neighborhoods where this type of victim is held captive, individuals such as neighbors, mail carriers, meter readers and delivery personnel are the eyes and ears of the community. They may be conducting business near or at the residence where a captive is being held and conceivably may be interacting with the offender and/or victim. The public should be reminded about the basic facts of the case, updated periodically regarding the status of the investigation and educated as to the possibility the victim is being held captive somewhere in the community or surrounding area. The public should be encouraged to contact authorities regarding **any** suspected sightings of the victim.

### **The offender's inner circle**

The people who interact with the offender every day in ordinary ways are in a good position to observe behavioral changes the offender may exhibit over time. These individuals may include family members, co-workers, friends and neighbors. This will be a different kind of message than the one going out to the public. This is tailored to the offender's inner circle and will remind the community some of them may be unknowingly in frequent contact with the abductor. No matter how poised offenders are and no matter how effectively they have managed to compartmentalize their existence, there will still be signs visible to the astute observer. For one thing the offender will have to make adjustments in his or her routine once taking a child captive. After all, holding a victim captive will take up a significant amount of the offender's time. Offenders may be seen engaging in behaviors such as obtaining larger amounts of food than would be typical; purchasing clothing or other items inappropriate for the offender; being exceptionally nervous about being away from home for any length of time; preventing access to certain areas of the residence and property and/or installing locks or other security devices aimed at keeping people inside from exiting a residence or vehicle. These activities do not necessarily indicate a particular individual is a child abductor, however, it is simply an additional means of generating leads that can lead to a break in the case.

### **The offender**

Though a less effective strategy than those listed above, this should still be given some consideration. Even if the message is not directly aimed at the offender or captor, he or she may still react to it. The consequences to the victim of any media release should always be the top priority for investigators. The language used in reference to the abductor should not incite his or her anger since doing so could result in the abductor venting rage on the victim. Name calling is neither professional nor productive and should be avoided. If family members are willing to



deliver a message, they should be educated about what to avoid as well as what to emphasize. Any reference to the abductor should include the positive expectation the victim will be taken care of and released unharmed.

### **After the recovery**

When a long-term victim is recovered alive, there may be a tremendous amount of interest from the public and significant media coverage of all aspects of the case. Law enforcement agencies should develop a plan to address the media attention on the victim, his or her family, the law enforcement investigation and the ongoing prosecutive process. As investigators learn more about the case from the victim, there may be a need to use the media for the purpose of locating witnesses or following up on information gleaned from interviews.

### **Conclusion**

Any law enforcement officer who has been involved in the recovery of an abducted child who is alive knows this experience is unquestionably one of the most deeply gratifying moments in a profession where all too often the outcome is a child located deceased or not recovered at all. The long-term abduction represents a new paradigm not extensively discussed in child abduction typologies, but soon to be added and expanded upon. The FBI's Behavioral Analysis Unit 3 has practical experience and specialized knowledge about crimes committed against children including long-term abductions and will provide investigative and behavioral support to investigators. Law enforcement has accumulated an increasing pool of cases in which children have been recovered alive, sometimes after many years in captivity, and reunited with their families. Many of these survivors have written books sharing their experiences and in doing so they have increased the knowledge and understanding of criminal justice professionals everywhere. Those compelling narratives have delivered the unmistakable message every missing child case in which the victim has not been recovered **must** consider and pursue the possibility a long-term abduction has taken place and the child is still alive and living in captivity.

**Editor's note:** Sections of this chapter were originally published in the third edition of the FBI's *Child Abduction Response Plan: An Investigative Guide* (Quantico, Virginia: U.S. Department of Justice, 2014), and have been reprinted here with permission of the authors and agencies involved.

## **Chapter 6: Search considerations**

by Ray Harp; H. Wayne Sheppard; and Robert G. Lowery, Jr.

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## **Case review checklist for search specialist in response to missing children**

This checklist is meant to enhance those search measures taken by search and rescue specialists working in a collaborative and cooperative effort with law enforcement authorities tasked with searching for missing children. The National Center for Missing & Exploited Children® highly recommends law enforcement, to be the most effective, reach out to a search specialist/specialized search team at the onset of any missing child episode. However, in the event the missing child is not recovered or located, the following case review process should be followed by a search specialist/search team in collaboration with the investigative team.

### **Search specialist review process**

While developing a search plan, the investigative team should thoroughly brief the search specialist/search team on the entire investigation. **For assistance in search matters contact the National Center for Missing & Exploited Children at 1-800-THE-LOST® or 1-800-843-5678.**

#### **Review of case summary**

- ☐ Review written case summary and timeline.
- ☐ Identify window of opportunity.
- ☐ Brief investigative team members upon completion of the case summary review.

#### **Victimology review**

- ☐ Request victimology documentation.
- ☐ Request files documenting victim background.
- ☐ Review missing person checklist if completed.
- ☐ Review any/all law enforcement reports involving the victim and those individuals associated with the victim.
- ☐ Review school documentation as to behavior impacting incident(s).
- ☐ Review information available from social service agencies if applicable.
- ☐ Review physician-related reports including any physical or mental health issues noted.
- ☐ Review law enforcement documentation of previous incidents relating to the victim.
- ☐ Recommend law enforcement contact neighboring agencies for any information related to the victim.
- ☐ Review reports from previous incidents occurring in other jurisdictions where the victim resided or frequented.
- ☐ Review any forensic analysis of electronic devices the victim used or accessed.
- ☐ Review all social media related to the victim.

#### **Details surrounding the missing person episode**

- ☐ Review the missing person report.
- ☐ Review peripherally related reports.
- ☐ Review information exchanged in law enforcement briefings.
- ☐ Review neighborhood and business canvass reports.
- ☐ Review tip sheet information.
- ☐ Review background information about all people identified during the investigation.
- ☐ Review ground and aerial maps.
- ☐ Review surveillance or security camera footage if available.
- ☐ Review patrol vehicle dash camera and officer body camera footage if available.
- ☐ Review broadcast and print media coverage.

#### **Review of suspect information**

- ☐ Review information about how the missing child case relates to criminal culpability.
- ☐ Review relationships to missing child.
- ☐ Review suspect's history.
- ☐ Review interview(s) of suspect for information related to a search.

- [ ] Review any polygraph results including the examiner's opinion and report.
- [ ] Determine if the suspect had been involved in the search for the missing child. If so determine what role he or she played.
- [ ] Determine if the suspect has been involved in previous missing child/person cases.

#### **Review of any witness information**

- [ ] Review all witness statements including reporting party and last person to see the child.
- [ ] Determine how the witness was involved in the incident.
- [ ] Determine if the witness helped in previous searches. If so did the witness influence, try to limit or actually limit searches?

#### **Assessment of original search efforts**

- [ ] Review documentation of search conducted.
- [ ] Review why the search was conducted.
- [ ] Review when and where the search was conducted.
- [ ] Review who conducted the search.
- [ ] Review the list of resources used during the search.
- [ ] Review why the search was suspended or terminated.
- [ ] Interview the search manager.

#### **Strategies for renewed or additional search**

- [ ] Develop a search plan.
- [ ] Explore steps needed to gain legal access to the search site.
- [ ] Conduct a site survey.
- [ ] Identify search resources.
- [ ] Develop an operational plan.
- [ ] Identify specialized search considerations such as landfill, water and canine as well as environmental issues such as caves and sink holes.
- [ ] Explore funding options for the search.

#### **Considerations to suspend new search**

- [ ] Complete planned search.
- [ ] Review search to help ensure all avenues have been exhausted.
- [ ] Assess for additional search options.
- [ ] Consider and plan for weather and safety issues.

When a case reaches a long-term missing stage, a key consideration for investigators is whether to conduct additional searches, either for the child or physical evidence. Searching for a long-term missing child or for evidence connected to the child's missing episode will be far more productive if searchers start out with specific intelligence or information developed during the investigation identifying particular areas to search where it may be likely of finding the missing child or discovering evidence. Blindly setting out to look for someone or selecting a particular location based on a hunch, otherwise known as a randomized search, is unlikely to have positive results. It may also unnecessarily expend resources and energy and can lead to false hopes for the missing child's family and community.

Selecting a search location should always come after thoroughly reviewing all of the facts in the case as they presently exist and ideally should be in cooperation with a qualified and experienced search specialist. A search specialist can bring a wealth of knowledge and experience to help guide the decision making process to determine if a search is practical and, if so, where and how it best should be conducted.

It is recommended agencies consider including a search specialist in the search planning and investigation at an early stage. The specialists should be thoroughly debriefed by the investigative team about relevant witness statements or information developed that may help identify areas to search. Working with the investigative team a specialist may better identify high-probability areas to search, assist in planning and identify the best methods and resources to conduct a search to optimize the chances of locating the missing child.

The following information is presented as step-by-step recommendations for the process of determining the need for additional searches, identifying high-probability locations, conducting the planning process, identifying necessary resources and determining how to best conduct searches.

## **Conduct a thorough review of all aspects of the investigation**

### **Review of case information**

To become familiar with a missing child case it is helpful for the search specialist to review a written summary addressing relevant aspects of the case to date. Information in the case files, such as witness interviews, suspect statements, lead development and evidence discovery, may often prove valuable when determining if a search is required and, if necessary, the proper locations to search. The specialist may request a briefing from the investigative team members for any unanswered questions identified during review of this summary. There may also be recommendations for additional follow-up investigation to clarify certain facts or obtain additional information to assist in the final determination.

### **Review of the victimology information**

A thorough understanding by the search specialist of the victimology is important when identifying and selecting **potential or high-probability search locations**. The victimology

information should contain a comprehensive evaluation of key factors such as the child's lifestyle, behaviors, habits and interests as well as information about his or her family members, friends and associates that could have impacted the missing episode. As such investigators may provide unique insight about why the child went missing; where the child may have gone; and, in some instances, with whom the child may have come into contact. Many children today utilize social media as a form of communication. In these cases a review of their social media use can often provide a wealth of information about behaviors, interests, friends and people with whom they may have been in contact. This information may be known or unknown to the family.

The victimology will often help clarify the circumstances surrounding the missing episode and help determine if the child was a runaway; was lured away by someone; or whether he or she was a victim of abduction either by a family member, nonfamily member or person not known to the child. This is obviously a critical step in the process as it has tremendous implications for search decisions. The goal of the victimology review is to learn as much as possible about the missing child in order to guide in the decision making process and assist in the development of search plans.

The following steps will guide investigators and search specialists about how to properly evaluate the victimology.

- **Review files documenting victim background.** These include the missing child checklist found at the beginning of this chapter. This checklist is an important piece of information in the completion of a victimology profile. In the event a missing child checklist was not fully completed, at the time of the original report, investigators should gather this information to the greatest degree possible. The importance of a thorough and complete profile cannot be overstated. When available, documentation should include:
  - All police reports involving the victim and individuals associated with the victim.
  - All school records documenting behavior possibly related to the missing child episode.
  - All records from social service/child protection agencies if applicable.
  - All physician and hospital reports including any documenting medical or mental health issues as well as medications being taken. Also consider the child's reaction if he or she is or is not taking the medication used.
- **Review information about previous incidents.** The investigative team should make sure the specialist is aware of any records pertaining to previous incidents in which the victim was involved that may be similar or related in some way to his or her subsequent missing incident. These records should be secured from any applicable neighboring law enforcement agencies as well as the agency conducting the investigation and from other jurisdictions where the victim has resided or is known to have frequented.
- **Review social media contacts and connections.** As mentioned in "Chapter 3: Investigative practices, policies and principles," beginning on Page 36, the investigative team may seek the assistance of their Internet Crimes Against Children or ICAC Task Force or other experts for assistance in forensic analysis of any electronic device the victim used or to which he or she had access. For information about ICAC Task Forces by state visit [www.icactaskforce.org](http://www.icactaskforce.org).

The investigative team should provide the specialist with any recovered information that may provide insight while developing the search plan.

- **Review the victim's personal network.** This includes, but is not limited to, identifying all family members, friends and associates of the child and family, neighbors, school classmates and teachers, members and leaders of organizations or clubs. Using the missing child checklist at the beginning of this chapter as a starting point, the investigative team may consider interviewing or re-interviewing all people identified to determine if they have additional relevant information.

### **Review of details surrounding the missing episode**

A successful search most always depends on the **accuracy** of information about the time when and location where the missing child was last seen. The search specialist can use this known information along with any additional details to develop the most accurate timeline, including the window of opportunity, in the event of an abduction. This should be approached as a thorough intelligence gathering effort requiring information be gleaned from multiple sources. These sources include:

- **Law enforcement reports.** The search specialist should be thoroughly briefed and become familiar with all aspects of the missing child incident. This briefing should also include a review of peripherally related information and reports, related to the incident. These reports may help best determine the exact timeline of the child's activity before he or she went missing.
- **Law enforcement briefing.** It is often helpful to the investigators and search team to include the search specialist in law enforcement briefings related to the investigative efforts. Experience has shown a great deal of information is exchanged during law enforcement briefings including information not always documented in case reports. This may include information originally not seen as having obvious value for the investigative team and thus not recorded for this reason. But such informally exchanged information may be of great use for the specialist in developing the search plan.

Those most likely to be familiar with a community and the area where the child was last seen are often the patrol officer assigned to the area where the child went missing. To the extent possible patrol officers should be included in the briefing process as they may often contribute unique insight and information that may help the search specialist because of his or her personal knowledge of the area, his or her understanding of relationships among those living in or coming into the neighborhood, and any nuances about the community. It is important not only to evaluate anything that may have been unusual at the time the child was last seen, such as nearby suspicious people, but also what is normal for that area or neighborhood. While it is important to focus on the unusual, in many cases some of the best information lies within what is normal for the area – such as, who lives there, who commonly comes into the area or visits, and any known criminal activity, both before and at the time the child was last seen.

A search specialist can contribute meaningfully to briefings by answering questions and explaining proper techniques that may be used to develop the timeline so it is as accurate as possible.

- **General intelligence gathering.** General intelligence gathering from sources beyond law enforcement reports and briefings can supply additional valuable information. Possible sources include:
  - Information developed through neighborhood and business canvasses. These are of value as they may also provide a general overview of normal life and conditions in the area in addition to information that may be specific to the investigation. This may be a witness who observed the child, saw someone interacting with the child before he or she went missing, or may have even observed the abduction itself, especially in those cases when the child may have appeared to be compliant or willingly going along with the suspect. It is important to point out not all child abductions are violent instances where the child is restrained and taken by the suspect. Children may sometimes be lured by an abductor who may use a ruse, such as asking the child for help to find a lost puppy or telling the child a parent sent them to pick up the child, among others. For more information about children who are lured and attempted abduction visit [www.missingkids.org/AttemptedAbductions](http://www.missingkids.org/AttemptedAbductions).
  - Tips generated by law enforcement outreach. These can lead to both specific and general intelligence. Anonymous tips or even those from less than credible sources may sometimes yield useful information and should not be automatically discounted.
  - Information obtained in background checks conducted on all people involved in the investigation, not just those of specific interest.
  - Maps with topographical, ground and aerial views.

### **Review of suspect information**

When an abduction is known to have occurred and a suspect has been identified, it is important to brief the search specialist about all known suspect information, including all activities before and after the missing episode. This should also include how the suspect came under initial suspicion, any information leading to a determination about his or her involvement, and details useful to develop a timeline of the suspect's activity at the time the child was last seen. This timeline should obviously be compared with the missing child's timeline, for similarities, matches and connections to the window of opportunity. The suspect's timeline, along with that of the missing child's, can be of great help in determining high-probability search areas.

Thus when criminal culpability is established or suspected by law enforcement, a case will evolve into two parallel investigations consisting of the search for the missing child and the search for evidence for criminal prosecution of the offender. As law enforcement learns more about a suspect and unearths more possible criminal evidence, this information is also likely to contribute to the search for the victim by helping to shape search logistics and further define the search area.

The transition to a criminal investigation may occur at any time during the search for a missing child. Those searching for a missing child must always be vigilant for what may be potential



evidence and must be properly instructed to help ensure appropriate steps are taken to avoid contamination. Communications between investigation and search teams is vital, as this process like the original search plan, requires a thorough review of all available information, especially about potential evidence, such as articles of clothing the child may have been wearing or personal effects of the child.

When a suspect is identified the obvious focus will be about any relationship between suspect and victim. If the victim and the suspect initially appear to be strangers with no known connections, investigators need to explore how they came into contact and under what circumstance. Or if they were known to one another, what exactly is their relationship? Is the suspect a parent or other relative? Is the suspect a neighbor, casual acquaintance or some other trusted authority figure? The nature of the relationship will almost always provide information helpful in developing a search plan.

The criminal history of the suspect must be thoroughly examined, paying special attention to any arrests involving child victims. This includes not only any criminal charges in the suspect's background but also investigations not leading to formal charges. This may also include other contacts the suspect has had with law enforcement, possibly as a witness, a reporting party or victim, or a person simply interviewed due to suspicious activity. In addition the search specialist should examine the suspect's educational and employment background, neighborhood ties, present and past interests and hobbies, and medical and mental history if available. The goal of this investigation is to construct the most complete possible profile so no piece of information about the suspect possibly able to help in determining a search plan will be overlooked or disregarded.

Interviews conducted with the suspect about his or her involvement in the child's missing episode, whether a confession, admission or denial, are another significant part of the record that must be reviewed to assist in the process of planning a search. Statements made in interviews, even those that may appear to not have any direct evidentiary value to the investigators can still provide valuable information for developing a search plan. Thus the search specialist will need to review all interviews of the suspect. And consideration should be given to allowing the search specialist to have access to any written, video or audiotaped recording and any other information investigators may have generated from the interviews. If a polygraph examination was conducted it may be helpful for the specialist to review and evaluate the test questions, the suspect's responses and the polygraph operator's conclusions. This review should include not only information directly related to the criminal case but also any information having potential value for developing a search plan.

It is important to keep in mind it is not uncommon in abduction cases for the abductor to join and help out in the search for the child. This is why it is vital to determine the identities of all people who participate in searches. Obviously offenders may join searches not only to deflect suspicion from themselves, but also to gain access to information not generally known to the public and learn whether or not they are being mentioned as a potential suspect. Joining a search may also

allow them an opportunity to redirect search teams away from certain areas where the child may be or tamper with or destroy any evidence that may be found. If a suspect is determined to have been involved in searching for the missing child, investigators should carefully seek to establish what role the suspect played, what explanation he or she may have given for joining the search and what information he or she may have given to investigating officers. Investigators should also try to find out if the suspect has been involved in any previous missing child/person cases. In making these inquiries law enforcement should make direct contact with any jurisdictions having had contact with the suspect and not just rely on database searches.

### **Review of witness information**

As part of the review process and development of a search plan, the search specialist should be familiar with all relevant witness statements as they may contain vital information to help guide his or her work. In some cases the search specialist may need additional information and ask investigators to re-interview a witness as an aid in the development of the search plan. For example witnesses who may have information about the child's daily activities and family history may provide significant insight into where the missing child might be found.

When reviewing witness statements the search specialist should work directly with the investigators to thoroughly examine the full content and circumstances under which the statements were made to evaluate and determine how much value their statements may have in the development process. For example it is important to determine whether a statement was given immediately or soon after the child was last seen or was it made days or weeks later. Consideration must also be given to whether the details are accurate, plausible and consistent with other information.

In reviewing statements with the investigator, the specialist should pay close attention to the location of the witness at the time the incident occurred; the circumstances and conditions at the time – especially information such as determining sight distances and limitations; and his or her account of movements made before the incident. The obvious purpose is to determine the plausibility of the statement made by the witness. Key questions may include, was the witness in the right place to see what he or she says was seen and were weather or lighting conditions suitable for making such an observation? Inconsistencies or discrepancies in a witness statement cannot be overlooked or ignored, as inaccurate information will almost always have a negative effect on a successful search. It is also important to consider the possibility the person who reported the crime or was at the scene was actually involved in the criminal act. Ultimately the search specialist's primary goal is to identify logical and high value search areas, not be involved in the development of suspects. All details should be evaluated to determine if they might point to additional indicators helping to guide the search. Comparing a witness's movements with those of the victim and suspect may help clarify the time sequence of events. It may also help define **where** an incident was more or less likely to have taken place and thus establish some high-probability search sites and rule out other areas.

Another key factor to consider in reviewing witness information is whether the witness has any connection with the victim or suspect and the nature of the relationship if one exists. The search specialist will be most interested in the level of familiarity the witness may have with the victim or suspect. While the investigative team will be asking the same questions in order to identify a suspect or develop evidence of guilt, the search specialist has a different goal. **The specialist's questioning is intended to identify and delineate physical areas the victim and/or suspect frequented and would consider to be familiar.** These areas may constitute comfort zones for both the victim and suspect. Identifying comfort zones can be a critical step in identifying high-probability search areas. For instance a preplanned abduction where the suspect creates an alibi may increase the suspect's comfort level within the physical area.

All witness statements, no matter how insignificant they might appear, should be made available to and discussed with the search specialist. A witness may have knowledge that can be critical in finding the victim and not realize the importance of the information. Statements reviewed by the search specialist may not solve the case but can go a long way toward finding and recovering or locating the victim.

### **Relationship to the incident**

Lastly investigators should determine whether people providing information were witnesses to other previous crimes or even other missing children events. These previous statements should be of keen interest and must be thoroughly examined to determine if this event could be related to those prior events and learn details such as what they stated they saw and how much help they provided to those search teams. And this information needs to be provided to the current search teams. Of particular interest may be, did the witness give information leading to searching a particular area or lead investigators away from a certain location? Did he or she appear to be trying to influence investigators to look in one place or another? What was the result of a search or searches conducted on the basis of the witness's account?

While these questions must be considered, a witness should not be automatically considered a suspect just for being a witness to a previous crime involving a missing child, or even if he or she apparently led searchers in a wrong direction. Someone can give information in good faith but confuse one neighborhood or natural feature with another and thus steer searchers to the wrong location with a significant but unintentional detrimental impact on the investigation. For example in a missing child case, experienced by the author, in the southwestern U.S. a witness contacted local law enforcement and told investigators he may have unknowingly participated in disposing of a body. The witness described driving with the suspect to another city where they put a suitcase in a dumpster. Later the witness realized the suitcase might have contained the body of a child in their community who was missing. But subsequent searches for the suitcase were unsuccessful. A search specialist commenting on the case pointed out many areas in the city where the suitcase was dumped had a common appearance and quality, looking similar enough that someone who did not know the area could easily confuse one neighborhood with another. Although the witness appeared to have good intentions when ultimately reporting the situation, his unfamiliarity with the city may have led investigators to the wrong dump site.

## **Strategies for renewed or additional search**

In deciding whether to undertake a renewed search for a long-term missing child, it is critical to assess any searches that have already been performed. To this end the search specialist will require documentation about all previous searches for a missing child. The investigators and search specialist should review all searches including the details about and thoroughness of the searches conducted including when, where and by whom each search was conducted; why a particular location and search method were chosen; what resources were used; the results; and the reason a search was suspended or terminated. If possible it is always best for the investigators and search specialist to interview the responsible supervisors and team leaders of previous searches.

Following the comprehensive review process outlined in this chapter, the search specialist and investigating officers will reach a decision about whether renewed or additional searches, possibly involving the use of new, additional or specialized methods and technology, are warranted or recommended. If a new search is recommended, the search specialist will develop an intelligence-based plan considering all factors including the locations, scope, methods, need for search warrants, and necessary personnel and resources.

**The search must be intelligence-based.** Based on the review of case documents, statements from witnesses and search personnel, careful map research, available resources and search personnel, and the range of possible search types and methods, the investigating team will determine the area with the highest probability of meaningful search results.

**Law enforcement must have legal access to the search location.** Search managers must make sure the law enforcement agency has secured proper documentation to enter any property where a search is to be conducted. Search planners must be given appropriate information including the address and legal description of property to be searched, the property owner's contact information, the type of search to be carried out, and the planned dates and duration of the search.

**Personnel and resource requirements must be met.** As part of the search planning process the search specialist and law enforcement agency will assess resource and personnel needs. Those will be determined based on the scope and type of the search; the particular circumstances of the case and what searchers hope to find; the probable condition of the missing child whether believed to be dead, believed to be alive or in an unknown status; the location or locations to be searched and kind of terrain; and what resources are available, when and for how long. The search specialist, in collaboration with the law enforcement agency, will determine the number of personnel needed to complete a thorough search of the areas giving the highest probability of detecting the missing child.

### **Search plan development**

When a decision is made to conduct a new search for a long-term missing child, the search specialist will complete the search plan. The plan should specify the objectives of the search and how those will help find the child or physical evidence and meet the overall objectives of the

investigation. A plan should also specify operational functions including detailed maps of search areas, a defined operational period, personnel assignments, arrangements for communications and transportation, equipment and procedures to meet medical needs and safety requirements, and a description of probable weather conditions and plans to address weather emergencies. Each component is vital for the execution of a proper search.

A search plan will take into account the different environments where a missing child or items belonging to the child or suspect may be concealed. Those environments cover a wide range of considerations, anywhere from the interior of a building to outdoor locations to underground or burial sites to a body of water to a burned-over site to possibly even a sanitary landfill. Contained within those identified search sites there are great variations impacting the search plan from structures of different shapes and sizes to wooded areas, rugged terrain, open fields or natural features such as a cave or deep gully to human-made features such as a well or clandestine grave.

Obviously the nature of the environment will dictate many important decisions about how the search will be conducted and what special resources may be needed. For this reason, while planning a search, the specialist should personally inspect all potential search sites. This first-hand view of site conditions is crucial for proper preparation of the actual search since the specialist will be aware of many issues with which traditional law enforcement personnel are not normally familiar. However, the specialist must rely on law enforcement agencies for such things as maps, both current and historical, of the site. The selection of maps should include satellite images and topographical maps. Diagrams or sketches of the area in the original case files will also be extremely helpful. If there are maps showing the search area just before and/or just after the victim was last seen, those should be given special scrutiny to determine if there are any visible anomalies.

The nature of a site may itself be an indication whether the missing child is deceased or alive. For example the purpose of a landfill search is obviously in search for the remains of the child. But in the absence of meaningful evidence or strong reasons to think a person could not have left and could not be alive in a particular setting, the search specialist and investigative team should avoid a premature presumption the person did not survive.

Once legal access to the site has been secured, the specialist and investigative team will assign specific tasks to search personnel and allocate equipment and resources as needed to carry out the search plan. Possible specialized equipment to be used may include probe, ground penetrating radar; magnetometers; metal detectors; heavy equipment such as front loaders or backhoes; hand tools such as rakes, shovels or hoes; and any other tools deemed necessary. The type and method of search will be determined on the basis of the case analysis and by the pre-search assessment of such factors as terrain, vegetation, weather, resource availability and personnel needed.

The search will be conducted according to incident command protocols, which provide specific procedures for management organization and documentation, and with an incident action plan, which sets out objectives and search strategies. The action plan will govern all operational decisions about the number and type of resources to be used, where and when resources are deployed, and a tactical plan for each operational period.

**Figure 6-1**

<b>Search specialists and special search skills</b>	
Specialized personnel may be called on for particular search tasks. Some of the more commonly used specialists are listed below.	
<b>Aerial photo interpreter</b>	
Gleaning information from aerial and satellite photography is an invaluable aid in searching sites where human remains may have been disposed. Photos taken before and after a missing episode should be studied, if they are available, for changes possibly related to the disposal of a body. Aerial imagery can also show possible routes someone may have taken to enter and leave an area where remains might have been placed. Imagery in the records of a municipal or county assessor's office may show possibly relevant changes in land use or home construction.	
<b>Computer analyst</b>	
Locating clandestine grave sites often involves methods from multiple disciplines such as archaeology, geology, geophysics, botany, entomology and remote sensing. Merging and analyzing observations and measurements obtained by these different methods has historically been problematic, particularly when analysts are under the time pressure often associated with high-profile searches. Fortunately computer methods developed for natural resource exploration can be used in the search for hidden graves. These programs can be used in the field on laptop computers, enabling operators to quickly isolate targets for subsequent excavation. Typically this type of analysis begins with superimposing an imaginary grid, from an aerial or satellite photo, over the project area and then placing numeric values in the grid cells corresponding to specific observations and measurements. A separate grid is created for each data set. For example grid "A" might show soil conductivity measurements while grid "B" might show the density of a particular plant species within each cell boundary. These grids are then combined and statistically analyzed in order to identify atypical areas or anomalies indicating spots possibly meriting additional examination.	
<b>Naturalist</b>	
Evidence at an outdoor crime scene may be destroyed, damaged or moved from one place to another by animals. Someone who is knowledgeable about scavenging and other forms of animal behavior can help searchers figure out how remains or evidence may have been moved or altered by the animals in the area. For example an ornithologist may be able to locate nests where a bird has used hairs or fibers relevant to an investigation. Ideally the naturalist will have access to the site at the beginning of the search to document as much evidence as possible.	
<b>Botanist</b>	
Many different things can disturb the vegetation at a search scene. Branches can be broken by a vehicle or human moving through the foliage. Analysis of those disturbances can yield useful evidence for the searchers. For example the dates when a scene was disturbed can be indicated by botanical evidence such as layers of leaf litter on top of a grave. This can be measured to give an estimate of how long they have	

been accumulating. Similarly roots growing into or around a body or gravesite can be aged. Small pieces of plant material found in a grave can be identified and perhaps tie a suspect to the crime scene. The botanist will have a working knowledge of plant taxonomy, plant anatomy and micro-anatomy, succession patterns, the history of the area and many other subjects. Ideally the botanist will have access to the site at the beginning of the search to document as much evidence as possible.

### **Meteorologist**

Meteorologists are able to give specific information regarding the microclimate and general weather in a search area before, during and after the presumed date of a body's disposal. Weather conditions before and during body disposal could impact the place where the body was deposited. The microclimate at a site can also be tracked to indicate patterns and rates of decomposition. The effects of climate on plant species and stages of growth can also be measured and will help in determining when a body or other pieces of evidence have been at a site. Similarly the meteorologist can analyze the effects of flooding or erosion and how those might have moved or altered objects over time.

### **Geologist**

A geologist's knowledge of soils, mineralogy and stratigraphy can help recognize and interpret surface and subsurface disturbances. For example if a grave has been dug, layers of soil will be disturbed with material from different depths mixed together or moved from below ground to the surface. Rocks are reoriented and the porosity and compaction of the soil is changed. Soil and sediment may be transferred to a perpetrator's clothing, shoes and tools and thus tie a suspect to the disposal site.

### **Geophysicist**

Geophysical methods such as ground penetrating radar, thermal imaging and magnetics are nondestructive and can reduce the time spent on searches. Geophysical surveys, which are based on determining contrasts or anomalies, can be used to detect and delineate subsurface disturbances and anomalous conditions beneath hard surfaces, such as concrete and bricks, and within walls, floors and ceilings. Geophysical methods such as magnetics and side scan sonar can also be used to detect submerged items such as automobiles and weapons.

## **Special search environments**

**Landfill search** The search specialist, after considering the disposition of the missing child, conducting a site survey and developing an operational plan, may determine additional search specialist expertise is warranted for a landfill location operation.

In the event a search escalates to the point the missing child or evidentiary item is possibly in a landfill, there are several major factors a law enforcement agency must address:

- Is there a reasonable probability of the missing child or evidentiary item being in the landfill?
- How is a landfill search conducted?
- What are the anticipated financial costs associated with the landfill search?
- What are the logistical considerations associated with conducting the landfill search?



It is important for the law enforcement agency to understand the process by which refuse is handled in the U.S. Generally refuse will ultimately wind up in one of three places: a landfill, a dump or an incinerator. There is a significant difference between a modern landfill and a dump. A dump is a location in which cities, counties or individuals deposit waste. This is usually a large hole in the ground minimally controlled and is not guarded or monitored. Once it gets full it is covered and a new hole is dug. Dumps are not common anymore and those still in existence will usually be found in rural communities. However, a modern landfill is a waste containment operation in which the collection, transportation and burial of the waste is regulated. Incineration can negate any possibility of location.

**Making the decision to carry out a landfill search** In making the decision to carry out a landfill search, law enforcement agencies need to conduct an **assessment phase**. The first issues to be addressed are determining the probability the missing child or item is in the landfill and approximate location of the missing child or item within the landfill. This involves a detailed analysis of all available investigative data combined with the specific information as to how the target community processes its refuse. It cannot be overstated there must be a probability, not just a possibility, the missing child or evidentiary item is in the landfill. **A landfill search should not be attempted merely because the missing child or item has not been found anywhere else.**

***It cannot be overstated there must be a probability, not just a possibility, the missing child or evidentiary item is in the landfill.***

Once an agency has determined the probability exists the child's remains have been discarded in a landfill and a specific location in that landfill has been identified, the actual **search phase** can be undertaken. Agencies must include use of the most appropriate techniques, specialized equipment, safety measures and technology during the search phase. While the search phase is being initiated, agencies must be mindful landfill searches are time, personnel and equipment intensive. As such they are expensive and can present a significant financial challenge. Finally there are logistical search considerations. How far is the landfill, transportation and/or lodging?



How will site control be maintained for elements such as evidence collection and the media? What legal issues are involved, especially in regard to obtaining the authority to search? What impact will the search have on the agency's daily operations? How long will the agency be able to commit personnel to the search? What other agencies and resources are available to assist?

**Who is responsible for the cost of a landfill search?** Before committing to a landfill search the agency must consider the **associated costs**. Costs can include those for search tools, heavy equipment, specialized personnel, technical support and personnel to conduct the actual search. Landfill searches require personal equipment, which includes but is not limited to protective suits, puncture resistant gloves, steel shanked boots and masks. The search must be conducted in accordance with OSHA safety standards, with emergency EMS personnel on-site, with wash stations on-site in the event of contamination and with many other safety precautions considered. Additionally appropriate immunizations and inoculations must be provided for the searchers, and the means for providing food and water each day must be considered in the costs.

Law enforcement agencies are strongly encouraged to seek the assistance of qualified, experienced landfill search specialists. These resources should be used early in the process so as to help ensure the greatest possible chance for a successful location.

**Figure 6-2**

**Case illustration: Landfill search with a body location**

A 16-year-old child went missing from her home in the early morning of May 4, 2004. An extensive investigation took place in the state of Texas. Interviews and field searches were conducted by law enforcement. Additionally a forensic analysis was completed on the child's computer indicating the possibility of an Internet luring. The case remained unsolved until September 2005 when a 25-year-old male was arrested for the murder of another Texas resident. The 25-year-old suspect's name was found in the child's computer. In 2006 the male confessed to murdering the child and placing her remains in a suitcase. The suitcase was subsequently discarded in a dumpster and ended up in a landfill.

The National Center for Missing & Exploited Children's Team Adam consultants deployed to Texas in August 2006 and conducted a landfill assessment. Landfill records were retrieved and interviews were conducted as part of the assessment process. After the assessment was completed a decision was made to move forward with the search. Aug. 24, 2006, the search of the landfill began. After two months of searching the landfill, investigators recovered what was believed to be the body of the missing child. Identification was confirmed by dental records. This recovery came after 29 months of investigative work by law enforcement. Funding for the landfill search, which cost more than \$100,000, was obtained through the governor's office and the county. The lead law enforcement agency was responsible for securing additional personnel and resources to help with the actual physical search.

**Figure 6-3**

**Case illustration: Landfill search without a body location**

Oct. 11, 2011, a 5-year-old child went missing from her home in Arizona while the child's siblings were outside of the house cleaning the yard. It was originally believed the child knew how to open the front door, and when the mother returned home she found the front door open and the child was missing. Investigation revealed information indicating the child may have been placed in a landfill. Oct. 13, 2011, the National

Center for Missing & Exploited Children's Team Adam consultants were assigned to assist law enforcement with a landfill assessment. However, a witness came forward providing information the child's remains may have been placed in a commercial dumpster subsequently dumped in a different landfill in Arizona. Additionally the date and time the child went missing came into question. Armed with this new information the Team Adam consultants conducted an additional landfill assessment in February 2012. After the assessment was completed a decision was made to move forward with the search. The landfill search began Feb. 6, 2012, and was completed June 22, 2012, with negative results. The landfill search used more than 280 searchers expending more than 43,000 hours searching through 9,500 tons of trash. The cost of the search exceeded \$2 million.



**Water searches** Another type of search posing special and unique challenges for investigators is the search of a body of water. For a safe search with the best chance of a successful outcome, it is essential to have guidance and direction from a specialist with training and experience in the particular complexities and challenges of water searches and locations. Specialized resources for water searches can include divers, specially trained canine teams, a variety of watercraft types, side scan sonar and air-search capability. The specialist needs to be familiar with the capabilities and requirements of each type of resource in order to deploy the appropriate resources in an effective manner. These efforts will have the best chance of achieving a positive outcome.

Before a water search is conducted the specialist and search team must determine the basic characteristics of the body of water. These include depth, temperature, current flow and direction, tidal or any other fluctuations in water level, the effects of dam control if the area is dammed, contours and other features of the shoreline and bottom, and natural or human-made hazards on the surface or underwater. Full information about weather conditions is also needed. These data should be obtained for both the time of search and the period a missing child is known or believed to have gone into the water.

Equipment and search methods can differ in bodies of water of different types. **Rivers and streams** may be approached from the shore, water and/or air. Decisions regarding what equipment and technology to use will depend on the river's size, depth, current and geographical position.

**Lake** searches may use specialized resources such as water-trained canines, watercraft, air support and dive teams. In extremely deep lakes, where depths may be hundreds of feet, it may be useful to bring in additional resources such as a hydrologist, specialized sonar and underwater robotic equipment. Measuring temperatures and other water characteristics at various depths may also be necessary along with details about items such as possible reversing currents, the contour of the bottom and hazards.

For searches in **tidal waters** a search team will need detailed current and historical data about the timing and depth of local tides as well as weather conditions including precipitation, if any, at the time a missing person may have entered the water. The assistance of a hydrologist may be required. Deployment of appropriate watercraft, canines and dive teams will be key to an effective and safe search.

Specialized equipment and personnel for water searches may include **side scan sonar**. If using this option an operator who is highly competent using this particular device is required. Side scan sonars are of different types, each with their own capabilities and limitations. The operator's expert knowledge is critical since interpreting the sonar images often requires subjective judgment. The search specialist should have enough knowledge of different side scan sonar devices to evaluate their capabilities and choose the one best adapted to the needs of a specific search.

An experienced **dive team** and evidence recovery team will be essential to the discovery of a victim from a body of water. They may work in concert with specialized canine teams.

**Watercraft** used in a missing child search may include a wide range of vessels, from rigid inflatable boats such as Zodiacs to johnboats or similar small flat bottom craft to powerboats like Boston Whalers and on up to larger craft such as Coast Guard or fire department vessels or various types of air boats. A search specialist should be knowledgeable about the types, capabilities and characteristics of watercraft available for deployment and able to determine which ones have the size, range, power and carrying capacity most appropriate for the specific search being planned. They should also be knowledgeable about the number of searchers needed and have a familiarity with the body of water to be searched.

**Canine-assisted searches** Search dogs, like human searchers, are specialists. When dogs are brought in to assist in a search it is critically important to employ the appropriate dog with the right training for the particular task at hand. Some dogs are trained to detect human scent evidence. Others can find human remains, and still others specialize in finding traces of human blood. Historically, in this context, canines have commonly been used only for victim and evidence recovery. But dogs with the right skills can also help develop case intelligence and locate evidence including evidence possibly leading investigators to a previously unknown suspect.

Figure 6-4

Different categories of potentially helpful search dogs
Below is information about different categories of dogs potentially able to be of assistance in searches.
<b>Human scent canines</b>
Human scent canines are used to search for victims who are thought to be still living and to locate possible offenders, but they are not useful in finding a victim who has been killed because a dead body no longer produces the scent they are trained to detect. Some human scent dogs are classified as trailing dogs and are trained to find and follow a scent matching a sample provided by their handler. Scents can be available from a piece of clothing or some other item the target person has handled.
<b>Tracking dogs</b>
Tracking dogs are typically not given a particular quarry's scent to pursue but are trained instead to follow the track of the freshest scent at the scene. Since those dogs can be diverted whenever the track they are following is crossed by a fresher one, they are not recommended for use in abduction cases or for any searches in areas where there is a significant amount of human traffic such as on an urban street.  Properly used tracking dogs and human scent canines can assist with investigations in several possible ways. These ways range from following an offender's path away from an abduction site to trailing away from the point where the victim was last seen to following a scent from a place where a body was located. <b>Note:</b> An article about scent dogs published by the FBI in 2004 stated, "human scent is easily transferred from one person or object to another," and for this reason "should not be used as primary evidence. However, when used in corroboration with other evidence, it has become a proven tool that can establish a connection to the crime." <sup>91</sup>
<b>Human remains detection or victim recovery dogs</b>
Human remains detection or victim recovery dogs are deployed by search and rescue organizations and law enforcement agencies in searches to locate human remains on land and in water whether underwater or floating on the surface.
<b>Human blood detection dogs</b>
Human blood detection dogs are trained to specifically detect human blood including blood deposits not readily visible. These dogs can be used in crime scenes where human decomposition odor is also present, since they will not alert to the decomposition odor.

An example, known to the author, of different types of search dogs helping to solve a case was seen when the father of 2-year-old girl reported his vehicle had been carjacked and his child abducted when the offender drove off with the car. When the car was found blocks from the reported carjacking site, the dogs were given scent traces collected from the driver's seat. Using this scent they then trailed a route away from the car, not the same route the father alleged to have taken once the car was stolen. However, an analysis conducted on the father's cellphone later confirmed he had in fact taken the route the dogs indicated. Then a human remains detection canine searched the father's car and house with positive alerts. A blind search of items taken from

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<sup>91</sup> Rex A. Stockham, Dennis L. Slavin and William Kift, "Specialized use of human scent in criminal investigations," *Forensic Science Communications*, 6(3), July 2004, accessed Feb. 1, 2016, [www.fbi.gov/about-us/lab/forensic-science-communications/fsc/july2004/research/2004\\_03\\_research03.htm](http://www.fbi.gov/about-us/lab/forensic-science-communications/fsc/july2004/research/2004_03_research03.htm).

the father's car was conducted with positive alerts on a car seat and blanket. Meanwhile the victim's sister gave information indicating the night before the alleged carjacking the father spanked her sister for wetting the bed. In the morning the father carried the victim to the car under a blanket and kept her covered in the car seat while taking the sister to school. Though a body was not located, the father was convicted of homicide.

### **Concluding or suspending a search**

When is it time to conclude or suspend a search? With a successful search, of course, there is nothing to deliberate. The search ends because the missing child or evidence has been found and there is no reason left to search. Obviously it is more difficult to end a search that has not met its objectives. In some cases the issue may not be definitively ending a search but interrupting it temporarily because of a weather emergency, for safety considerations or because another case has a higher priority on an agency's personnel and resources.

As with planning and executing, this decision should be made jointly by the search specialist and investigative team. It should follow a careful review of everything done to make it clear every possible aspect of the search has been considered and all avenues have been fully explored. And consideration should be given to supporting searchers who may be disappointed or even devastated in the negative results and curtailment of the search. The review has to cover all documents, clues, leads or any other information available to the search team. The investigative team should be provided all records of how the search was conducted including resources used, maps employed, canine searches used, equipment employed, personnel present and any other material pertinent to the search. All material should be preserved in investigation files, properly organized and indexed for easy retrieval. In conducting this final review investigators should be sure to consider if there is any advanced technology or new search methods not yet tried or are under development which might become available in the future.

### **Family considerations**

The investigative team should also keep the member of the law enforcement team liaising with the family informed on all aspects of the search. Where appropriate that family liaison should keep the family apprised of the search to help ensure the family does not first learn about it through the media. The family should also be informed as much as possible about any delays or termination of the search. *See "Chapter 8: Family dynamics and survivor recovery: Understanding the relationships" beginning on Page 188 for more information about the role of this law enforcement liaison.*

### **Final considerations**

While the first considerations of any law enforcement agency should be to protect the public and bring justice to victims or survivors, no agency can ignore the issue of costs. The search techniques and methods discussed in this chapter can be expensive, sometimes very much so. But there are ways to offset some of those costs or spread them across multiple agencies so no one department bears an unreasonable burden.

If the methods and plan recommended by a search specialist are potentially costly enough to require additional funding outside the normal operating budget of the investigating agency, the specialist may be able to suggest possible outside sources of personnel or private or public funding to support a proposed search plan. Possible sources of assistance include such organizations as the National Center for Missing & Exploited Children at 1-800-THE LOST® or 1-800-843-5678, the FBI, NecroSearch International, forensic anthropology departments, private canine organizations, and state search and rescue organizations. Additionally federal, state and local prosecuting attorneys offices may be able to supplement search funding with money collected in asset forfeitures. Money may also be available through grants from various agencies and organizations providing nonmonetary search resources at no cost to law enforcement agencies.

In the end, while budgetary limitations are a reality for law enforcement and other public agencies, investigators should make every possible effort to help ensure a necessary search is **not** avoided because of a lack of funds. If the principal conditions spelled out in this chapter are met – intelligence indicating a reasonable chance of success, a practical site to search with existing resources and technology, and a sound plan designed and directed by qualified specialists – a search **should** be conducted, and resources should be found to meet the cost. Society owes this to victims, their families and the missing child's community.

# **Chapter 7: The identification of unknown children**

by Angela Williamson and Robert G. Lowery, Jr.

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## **Introduction**

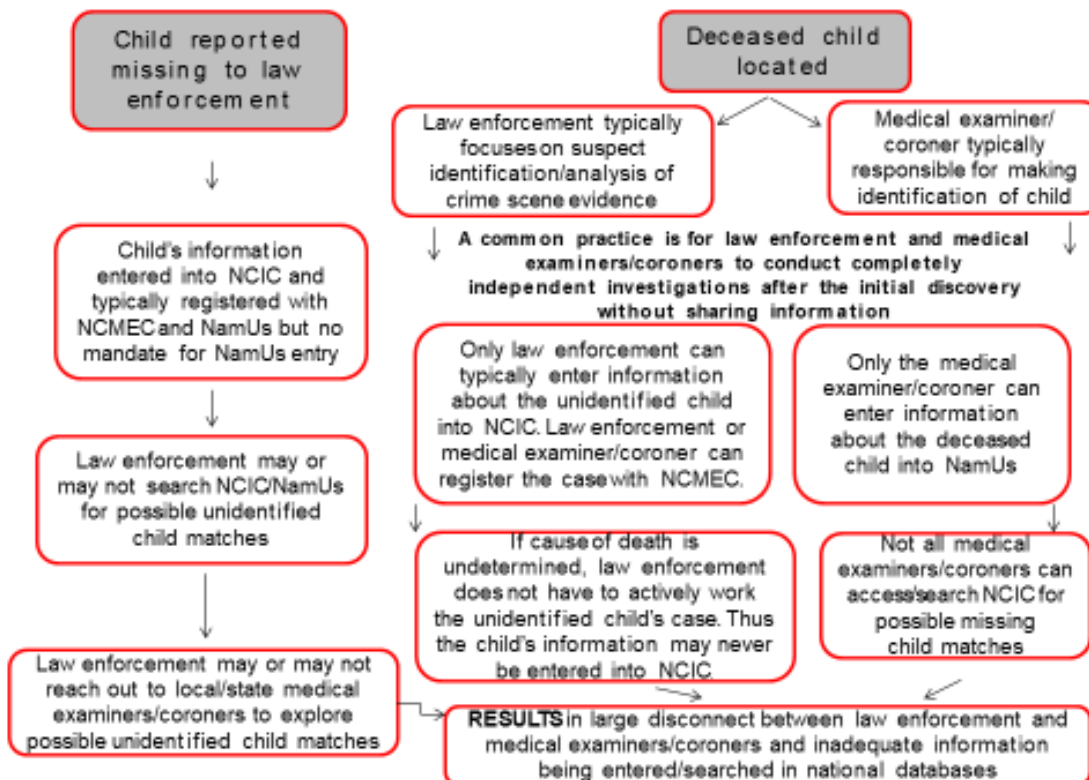
This chapter draws on the collective experience of the staff at the National Center for Missing & Exploited Children® or NCMEC who work with medical examiners, coroners, law enforcement and families of missing children. Based on their experience, this chapter offers recommendations, identifies available resources and provides step-by-step checklists for investigators to follow when assigned to such cases.

Currently there is no national standard regarding best practices for identifying remains of children or adults. Cases of unidentified people are often outliers in the U.S. criminal justice system, especially cases determined to be noncriminal or when the cause of death is undetermined. When no crime has been established, the priority for resolution will vary in different agencies. But, in most cases, both a medical examiner's or coroner's office and a law



enforcement agency are involved. Depending on the jurisdiction, the responsibilities are bifurcated. Generally the medical examiner or coroner is responsible for the body and the identification of the remains while the law enforcement agency is responsible for processing evidence from the scene from which the body was location and at any secondary scenes. Law enforcement is also usually responsible for any criminal investigation when the case involves the commission of a crime. But there are instances, especially in cases of homicide, when the task of identifying remains is shared between the medical examiner or coroner and law enforcement.

**Figure 7-1**  
**Issues in the standard investigation of**  
**missing and unidentified child cases**



## Missing children and identifying unidentified children

Obviously in all cases the agencies involved must consider an unidentified body is that of a missing person – especially when it appears to be the body of a child. However, the responsibility for making the connection is typically divided. Missing child investigations are the responsibility of the law enforcement agency where the report was made and usually where the child resides or was last seen. Law enforcement is required to enter missing child reports into the FBI's National Crime Information Center or NCIC database and must keep the records updated until the child is found. However, responsibility for identifying remains falls in most cases on the medical examiner's or coroner's office, which likely does not have access to NCIC. Since one agency is responsible for the unidentified body and the other is responsible for the missing child search, a successful identification is often dependent on the level of cooperation between the two



agencies and quality of the work each has done. This relies on the accuracy and completeness of records, biometrics and enhanced data. Enhanced data is descriptive information going beyond the basics of descriptors such as hair and eye color, height, weight and describes other distinctive features that may help identify the child such as scars, marks, tattoos, clothing, piercings and medical history.

Agencies responsible for long-term missing and unidentified children investigations handle these cases with varying levels of priority, largely based on their available resources. The reality is many agencies simply do not have the personnel to dedicate to those older cases. To assist agencies with cases of missing and unidentified children, NCMEC offers services **free of charge** through its Forensic Services and Case Management Teams, Case Analysis Unit, and Project ALERT® deployments. To learn more about these services visit [www.missingkids.org/LongTermMissing](http://www.missingkids.org/LongTermMissing). These services may be requested by calling 1-800-THE-LOST® or 1-800-843-5678.

## **NCIC and NamUs**

There are two official database systems for reporting unidentified and missing children. The first is the National Crime Information Center, primarily used by law enforcement. NCIC is the national database for crime-related information including criminal records, records of active warrants, stolen vehicles and stolen property files, missing and unidentified persons. While the use of NCIC is generally limited to law enforcement, in some jurisdictions medical examiner's or coroner's offices may have limited access for purpose of entering and maintaining records about unidentified people. The large majority of medical examiners and coroners without NCIC access, must rely on law enforcement for the entry and maintenance of the records. This makes identifying remains more difficult for medical examiners or coroners, not only because they are unable to access the relevant records but because they are also unable to modify, add or correct any of the information when necessary. Relying on law enforcement for those updates may not be practical or even effective. These restrictions also limit NCIC's ability to accurately and thoroughly search and compare the unidentified records to missing person entries.

The second system is the National Missing and Unidentified System or NamUs database, which is solely for records of missing and unidentified people. Unlike NCIC, NamUs allows broad access to medical examiners and coroners for entries and modifications of records of unidentified people. A key feature of NamUs is the missing person file, which allows entries by law enforcement and also from families or the public who may report those they know to be missing. Missing person reports entered by members of the public are verified before they are published for viewing or searching in the database.

Both the NCIC and NamUs systems automatically compare the missing and unidentified person files for potential matches, but only NamUs allows this public access. Besides letting members of the public enter reports, NamUs also allows limited public viewing of records from both sets of files, which is helpful for family members, friends or others looking for a missing person. The public access feature potentially makes the NamUs database a powerful tool because it harnesses

the use of the concern and motivation of family members, loved ones and friends, those who often have the strongest and longest-lasting commitment to find a missing person.

While the two systems have differences and similarities, they both critically depend on the accuracy and completeness of the data they collect including biometrics and enhanced information such as scars, marks, tattoos and medical abnormalities.

## **Best-practice recommendations**

In 2014 NCMEC presented *The identification of unknown child remains: Analysis of 25 years of recoveries and lessons learned*, based on extensive analysis of information about unidentified child cases reported to NCMEC from across the nation. This research was intended to provide best-practice recommendations and suggestions for medical examiners, coroners and law enforcement agencies responsible for these cases. NCMEC reviewed 82 successful identifications from various locations in the U.S. dating from July 1988 to February 2013. Four findings of particular interest for investigators working missing or unidentified child cases emerged:

- Most children's bodies were found in the same state or city from which they went missing.
- Most of the children only lived hours or days after their date of last contact.
- Most cases, in which a suspect was identified, involved perpetrators and children known to each other, and identification of the suspect led to the identification of the child. For instance because the suspect had some prior association with the victim and knew whom he or she had killed, when the suspect was identified, investigators learned the child's identity either from the offender's confession or by further investigating the suspect and his or her known associates, family members or acquaintances.
- Most often biometrics, such as DNA and dental records, were used to verify identification, but typically the possible identification was originally suggested by a concerned individual or as a result of law enforcement investigation.<sup>92</sup>

In 32 of the cases examined, 42 percent of the total, it took more than 10 years to identify the child.<sup>93</sup> Among the factors causing such long delays were the:

- Child was not reported missing.
- Date of last contact entered into NCIC was incorrect.
- Identifiers unique to the missing child were missed during anthropology examinations.<sup>94</sup>
- Identifiers unique to the missing child were omitted from the missing or unidentified person reports.
- Difficulties were encountered in determining the ethnicity, age and gender of the remains.<sup>95</sup>

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<sup>92</sup> *The identification of unknown child remains: Analysis of 25 years of recoveries and lessons learned* (Alexandria, Virginia: National Center for Missing & Exploited Children, 2014), 1.

<sup>93</sup> *Identification of unknown child remains*, 7.

<sup>94</sup> *Identification of unknown child remains*, 7.

<sup>95</sup> *Identification of unknown child remains*, 8.

Since the majority of the children died shortly after being reported missing, and most were eventually found in the same city or state where they were last seen, this analysis suggests it may be beneficial for investigators in such cases to start their initial search for possible missing person matches in the same geographical area where an unidentified child was found and focus on missing people whose dates of last contact were close to the time unidentified remains were discovered or the estimated date of death.<sup>96</sup>

As noted previously, identifying the suspect can often lead to the identification of the child. Since law enforcement and medical examiners typically conduct separate investigations, it is essential for both agencies to work together and routinely share information to help resolve a case as quickly as possible. Both sides need to remember identifying the victim is equally important as identifying the suspect, and pursuing both prongs of the investigation is critical to a successful outcome.<sup>97</sup>

Overall it became evident no single method should be relied upon to make efficient, timely and accurate identifications of unknown child remains.<sup>98</sup> From more than 40,000 remains nationally that continue to go unidentified,<sup>99</sup> there were only 8,407 active entries in NCIC as of Dec. 31, 2015,<sup>100</sup> and 10,643 entries in NamUs on Feb. 2, 2016.<sup>101</sup> Nationwide 4,400 unidentified remains are found every year and more than 1,000 are still unidentified after one year.<sup>102</sup> No doubt, as national databases expand, biometrics such as DNA will play a greater role in making matches. However, based on NCMEC's analysis, basic tools such as facial reconstructions and the public's involvement remain vitally important, especially in cases when a child's family did not make a missing person report. A combination of investigative strategies, media exposure and biometrics should be used in order to make an identification as quickly as possible. The more quickly a child is identified, the sooner families and communities will be spared the anguish of not knowing what happened and the closer investigators will come to identifying a suspect responsible for the child's death and preventing him or her from committing crimes against other children.

## **Victimology: How to obtain and ensure the most accurate data about unidentified children**

Developing the most detailed possible physical and behavioral description of the victim requires a variety of disciplines. Medical examiner/forensic pathologist examination and reports are

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<sup>96</sup> *Identification of unknown child remains*, 9-10.

<sup>97</sup> *Identification of unknown child remains*, 10.

<sup>98</sup> *Identification of unknown child remains*, 10.

<sup>99</sup> "NamUs Fact Sheet," October 2014, accessed Feb. 1, 2016, [www.findthemissing.org/documents/NamUs\\_Fact\\_Sheet.pdf](http://www.findthemissing.org/documents/NamUs_Fact_Sheet.pdf).

<sup>100</sup> "2015 NCIC Missing Person and Unidentified Person Statistics Pursuant to Public Law 101-647, 104 Statute 4967, Crime Control Act of 1990 Requirements," accessed Feb. 12, 2016, [www.fbi.gov/about-us/cjis/ncic/ncic-missing-person-and-unidentified-person-statistics-for-2015](http://www.fbi.gov/about-us/cjis/ncic/ncic-missing-person-and-unidentified-person-statistics-for-2015).

<sup>101</sup> "Welcome to NamUs Unidentified Persons," accessed Feb. 2, 2016, [identifyus.org/en](http://identifyus.org/en).

<sup>102</sup> "NamUs Fact Sheet," October 2014, accessed Feb. 1, 2016, [www.findthemissing.org/documents/NamUs\\_Fact\\_Sheet.pdf](http://www.findthemissing.org/documents/NamUs_Fact_Sheet.pdf).

standard for all cases and provide the basic information about the unknown deceased child. However, additional information can often be obtained from examinations by experts in other fields. For instances forensic anthropologist may be of assistance. In deciding when a new exam should be conducted and whether to have an exam performed by a board certified **forensic anthropologist**, a number of questions should be considered.

**Who is a forensic anthropologist?** While the Scientific Working Group for Forensic Anthropology or SWGANTH<sup>103</sup> has helped define who should be able to call themselves forensic anthropologists, there is currently no government-regulated licensing for practitioners in the field. Certification by the American Board of Forensic Anthropology or ABFA may help verify the competence of someone using this title.

**When should a forensic anthropology exam be conducted?** It is recommended exams should be done by different forensic anthropologists at regular intervals, perhaps every five years. This is especially important in older cases completed before DNA technology was available to confirm gender. In those cases gender assessment may be wrong or at least questionable because determining the gender of juvenile skeletal remains can be extremely difficult. Obviously correcting an erroneous gender finding through an additional forensic anthropology exam in combination with DNA testing would pay an enormous dividend for the investigation. A new forensic anthropology exam can also be valuable in cases when the subject's ancestry was incorrectly determined and thus any facial reconstructions of the unidentified child were inaccurate and misleading.

**How can forensic anthropology services be obtained?** As part of the NamUs system, the Department of Forensic Anthropology at the University of North Texas Center for Human Identification assists agencies free of charge with the location of skeletal remains, skeletal examinations and positive identifications of decedents. NCMEC can also help facilitate forensic anthropology services free of charge. NCMEC's Project ALERT program has several ABFA certified forensic anthropologists as volunteers who will travel to offices of medical examiner's and law enforcement agencies across the country to help provide anthropological assessments on-site.

**Figure 7-2**

**Case summary: DNA hit 20 years later**

In 1991 a comparison was made, at the request of law enforcement, between a missing child and a set of unidentified remains. The remains were eliminated as a possible match for the missing child based on the fact the child was reported to have a healed fracture of the right humerus and pierced ears, neither of which were observed in the body according to the medical examiner and anthropology reports. However, 20 years later in 2011, there was a DNA hit in CODIS between the same remains and the missing child. The match was finally made.

<sup>103</sup> For more information about the Scientific Working Group for Forensic Anthropology visit [www.swganth.org](http://www.swganth.org).

### Teaching points

- Obtain updated forensic anthropological assessments as methodologies and techniques advance over time in this field.
- Confirm, by forensic biometric exclusion, any initial anthropological exclusions.

### Lesson learned

Skeletal anomalies can be overlooked during an initial autopsy or anthropological exam.

A **forensic odontologist** should be used to examine and code an unidentified child's dentition to help ensure accuracy of the records. NamUs provides free resources related to using dental evidence in identifying remains or for other investigative purposes. Forensic odontologists at NamUs assist with the acquisition and uploading of dental information into NamUs and NCIC, charting of dental records, and performing dental comparisons between missing people and unidentified remains. NCMEC can facilitate dental coding or assessments for all juvenile cases and help ensure dental records are properly uploaded to appropriate databases. *See the "Biometrics" Section beginning on Page 154 for additional details.*

It is recommended all unidentified remains be X-rayed upon arrival at a laboratory or morgue. **Radiologists and other medical specialists** can be helpful in various ways. For example they can often estimate a child's age by examining wrist bones. Because of their knowledge about how to position a body to be X-rayed and how to interpret the resulting images, a radiologist can also give useful insights when comparing images of unknown remains to antemortem X-rays of someone who is believed to be a possible match.

While forensic anthropologists can typically recognize certain anomalies in human remains such as lead spatter, fractures or medical devices, further consultation with a surgeon or other specialist for confirmation or additional detailed insight can be beneficial. For example a medical device found in a body could be taken to a surgeon with experience working on shoulders to provide insight into the problems the individual would have experienced before having the device implanted. Medical devices can provide vital information including the name of the manufacturer/brand name, model number, serial/lot number, date the item was implanted and most importantly the name of the patient in which the item was implanted. This can be vital in the identification process. Medical devices/implants include but are not limited to joint implants, cosmetics implants, bone pins, plates, pace makers and pain management systems. Manufacturers maintain records of patient names with date of implant and the name of the physician who implanted the device.

Since the ultimate goal is to determine who the person is and what happened to him or her, it is recommended specialists' opinions be sought, especially when a medical examiner or forensic anthropologist might not be considered qualified to testify to certain conditions or features in legal proceedings.

## Forensic imaging

Using forensic records and with the aid of increasingly sophisticated technology, a trained **forensic artist** can work with a skull or images of one to reconstruct a two-dimensional portrait or a three-dimensional reproduction of a victim's face.

Because three-dimensional facial reconstructions from skulls are highly recommended, forensic artists can create these with clay or by using specialized software for virtual reconstructions. The virtual method has a number of advantages. It requires less handling of the skull and thus less risk of damage. It also allows the artist to create multiple final images such as with different hair styles.

At NCMEC 3-D reconstructions are created by the forensic artist with a computer system called FreeForm Modeling Plus, which uses CT scans of the skull. The software allows the artist to work with digital clay in a 3-D space using sculpting tools similar to those a traditional artist would use when working with actual clay.

NCMEC can connect law enforcement agencies and medical examiners with a local hospital or university willing to donate a CT scan. This ordinarily means the skulls will remain in the chain of custody of medical examiners or law enforcement. If a local facility is not available, NCMEC can assist the requesting agency with alternate arrangements.

Before beginning a reconstruction the artist reviews autopsy reports, dental records and anthropological assessments of the remains including probable sex, age, weight and ancestry. Once a CT scan of the skull is imported into FreeForm, the artist can then apply tissue depth markers at different anatomical points on the skull. These tissue depth markers are averages varying by sex, age and ancestry of the remains. Facial muscles are sculpted on each skull and then skin and facial details are added to match the length of each tissue depth marker. After the skin and facial features are formed, eyebrows and hair are added. The sculpted hair may be based on hair found with the remains or it may be given a generic style with texture based on the skull's ancestry. The 3-D reconstruction is then taken into Adobe Photoshop where the image can be edited. Details such as irises can be painted and jewelry found with the remains can be added.

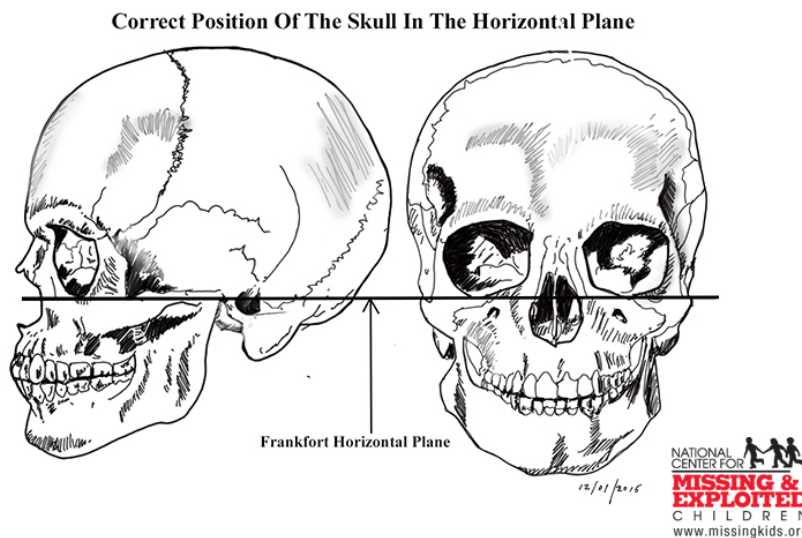
Figure 7-3



Example of NCMEC 3-D skull reconstruction

Two-dimensional facial reconstructions can be created from photographs of the skull. These are recommended for cases when the actual remains were cremated or cannot be located. In this process the skull needs to have been photographed in the Frankfort horizontal plane in order for the artist to create a reconstruction. The Frankfort horizontal plane is a good approximation to the position in which the skull would be if the subject were standing upright and facing forward normally. It is formed by drawing a straight horizontal line from the top of the ear canal to the bottom of the eye across the skull. Ideally the forensic artist will work with several photographs of the skull including a profile and frontal views.

**Figure 7-4**  
**Example of Franklin horizontal plane**

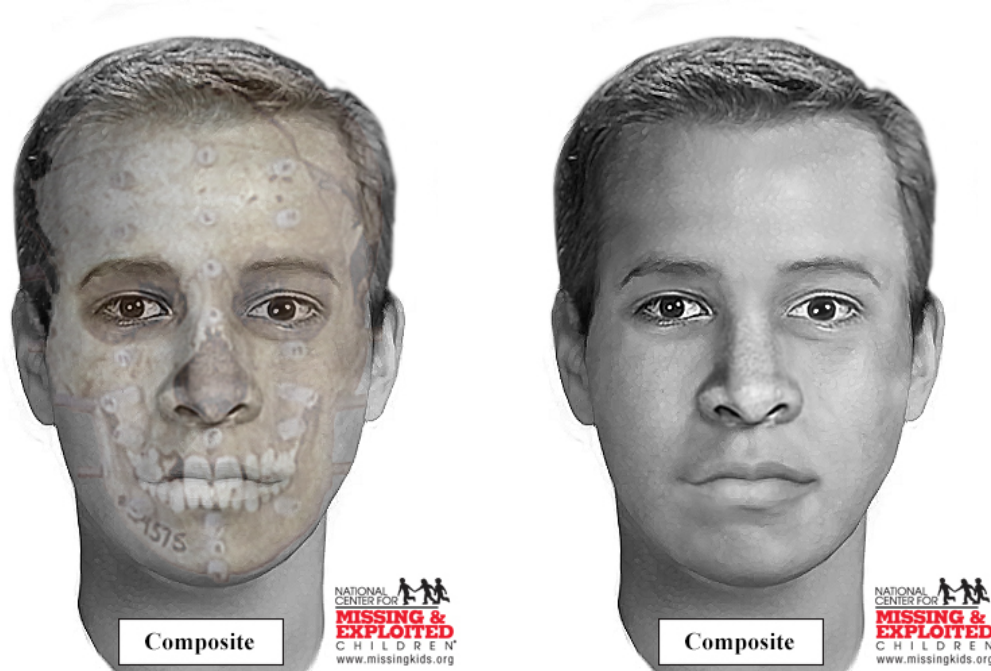


An anthropologist will give an assessment of the remains and then, as with the three-dimensional reconstructions, tissue depth markers should be placed at various points based on the sex, age and ancestry of the skull.

A NCMEC artist will use Adobe Photoshop to create the reconstruction. Each facial feature will be created on separate layers. Measurements are made to determine eye placement, nose thickness and length, and the width of the mouth. As with the three-dimensional models, the image will show a texture and style of hair based on samples found with the remains or, if no hair sample is available, the artist will create a generic hair style based on the sex, age and ancestry of the remains.



**Figure 7-5**



**Example of NCMEC 2-D skull reconstruction process**

Morgue or crime scene photos can be used as an alternative to a skull when enough soft tissue remains on the face of a deceased unidentified child. In such cases a two-dimensional reconstruction can be done using Adobe Photoshop.

Rather than disseminating the originals to the public, investigators may get better results with cleaned up photographs enhanced by digital retouching. Not only are those images more suitable for public viewers, they also enable people to see the face as it most likely appeared when the child was still alive, which of course is also how the child would have looked when seen by a witness, family member or acquaintance. If a face only has minor damage such as abrasions, dirt or bruising, the photo can be retouched by digitally repainting the affected areas. Closed eyes can be painted open; disheveled hair can be made to look more normally styled; and a shirt, if the child is not wearing one in the photos, can be added to provide a clean image that will not be seen as an obvious photo of the child in death. A shirt or other article of clothing painted into the image can be made to resemble clothing found with the remains, if a photo or description of the garment is available.

By contrast, if a child's face has significant damage, a two-dimensional reconstruction can be done. The artist will use parts of the morgue or crime scene photos along with other publicly available images to assemble enough views of facial features so small segments of many different images are merged to create a digital collage. The resulting composite will represent the artist's best estimate of how the child's face appeared in life. Again clothing can be added to create a final



clean image for public viewing. If there are profile shots of the child, a profile composite can be created as well.

If the photos of the deceased are in color and the child's eye color is known, a color image will be created or cleaned up. An old color photo can be corrected to adjust for color changes occurring as the photo aged. However, if the original photos are in black and white, only a black-and-white composite is created because the artist will not want to create an assumption of skin tone or hair or eye color even if these details are recorded in the file.

**Figure 7-6**



### **Example of NCMEC morgue photo reconstruction**

Reconstructing or retouching images of clothing and artifacts can involve many of the same issues as composing or cleaning up a photo of a face. If investigators have a need for photographs of articles of clothing found with the remains but the garments were soiled, torn or faded, the images can be cleaned up using Adobe Photoshop. As with a child's face, distributing a digitally retouched photo can be a better alternative than disseminating the originals to the public. Cleaned-up photos are more suitable for public viewers and also enable people to see how the clothing most likely appeared when the child was wearing it.

If a piece of clothing only has minor stains or tears, the photo can be retouched by digitally repainting the damaged areas. It can then be color-corrected in accordance with descriptions recorded by the original photographer or law enforcement agency because both the clothing itself and old photos can fade after years in storage. If the clothing has significant damage, a reconstruction can be done using publicly available images, such as from clothing catalogues, to create a new image. The artist will assemble images of similar clothing items and merge small sections of each image to create a digital collage resulting in a new composite image most

resembling the original garment. Graphic elements and designs from the original photo may be incorporated into the new composite such as artwork from a T-shirt, a patch, a label or unique stitching.

In either retouching a photograph or creating a composite, small features of garments such as logos can be enlarged and color-enhanced to draw attention to these details as well. Similar procedures can be applied to photographs of artifacts, such as jewelry and tattoos, to create enhanced images for public dissemination.

If images of clothing or jewelry are only available on film, slides or Polaroids, NCMEC's Forensic Imaging Unit has the ability to develop the images, digitally save them, and enhance the quality for use and future reference. Originals and the new digital images are all returned to the submitting agency.

**Figure 7-7**



**Example of NCMEC clothing cleanup**

## **Biometrics**

Collecting enhanced information and biometrics for unidentified remains is done by medical examiners or coroners, while collecting the same information about missing children is done by law enforcement. While this sounds rather simple, there are complications leading to obstacles in a proper data/biometrics collection. When working on new reports or fresh cases this process is generally fairly easy since those are the cases in which the information and biometrics are most easily available. Collection can be far more difficult when, as in many long-term cases, a person

has been missing for years or decades. It is also difficult in cases of unidentified remains when a body was found before recent advances in forensic science were made, particularly DNA, and may no longer be available for examination.

After some interval in storage, unidentified remains are usually buried in public or private cemeteries or cremated. When remains have been cremated, little can be done to collect biometrics or use forensics to help in an identification. But buried remains may still give opportunities for forensic testing and biometrics collection.

Collection of biometrics in long-term missing children cases can also be challenging. After many years direct samples of the missing child's DNA, such as toothbrushes, hair brushes and phenylketonuria or PKU/Guthrie cards, can be hard to find.<sup>104</sup> Therefore law enforcement will increasingly have to rely on family reference samples collected from parents, siblings, grandparents, aunts, uncles and cousins to be used in making identifications. Unfortunately as time passes many of these family members may have died or moved away making it more difficult and time-consuming for an agency to trace them and arrange for collection of samples.

Investigators hoping to use **dental records** to make an identification have to be aware the NamUs and NCIC databases use different methods to code dental data. Thus, even if the dental records for a case have been coded for NCIC, they also need to be coded for NamUs to help ensure they are searched properly in both databases. It is recommended all dental charting, coding and review be completed by a board certified forensic odontologist.

The dental coding in NCIC is complex. The dental coding in NamUs is less specific. This allows investigators, medical examiners or coroners to search the NamUs charts by entering simple codes in the search screen.

Only a forensic odontologist with appropriate specialized experience should be used to code dentition for unidentified children. Even an established forensic odontologist may not have any experience with NCIC coding. To avoid errors an experienced specialist should complete the coding or review the coding before submission. The FBI has a review panel of forensic odontologists who can be asked to do this, or coding can be referred to NamUs odontologists for review when requested by law enforcement or medical examiner/coroner.

A dental age estimation should be completed for unidentified children who have teeth still in development to enhance the dental data. This should be done by a forensic odontologist with specific experience in age estimation.

Under no circumstances should the NCIC coding be completed by the dental office with the records. Because the coding process is specialized, allowing dental office staff without specialized training to complete it often leads to coding errors.

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<sup>104</sup> For more information about PKU/Guthrie cards *see* Page 89.

When NCIC dental coding is completed by a forensic odontologist, he or she will have a complete dental data set retrieved, which is essential for subsequent comparisons. When a dental office does the coding, often the only dental records found by law enforcement will be the NCIC record and not the NCIC worksheet, radiographs, written treatment records and/or photographs, which is vital information.

In unidentified child cases full radiographs should be obtained at the time of autopsy. They should include the sinus cavities, which may be used for identification. In some cases a forensic odontologist may take the X-rays. In either case investigators should ensure a complete dental set is documented before the remains are buried, cremated or otherwise made difficult to access. To be of identification value this data set should include a complete visual examination, full mouth radiographs of all teeth and edentulous areas, photographs, and an accurate dental charting of the teeth and any oral conditions identified.

Because coroners and medical examiners working with unidentified remains ordinarily do not have access to NCIC terminals, NCMEC works with forensic odontologists and the NCIC originating agencies to help ensure the entries are updated with accurate dental coding, which will increase the possibility an identification will be made. Whenever a possible match is found in a database search, it is essential the comparison with the unidentified remains be conducted by a qualified forensic odontologist to prevent mistaken matches or exclusions.

**Note:** While capable to conduct osteological examinations, an anthropologist alone should not be relied upon to conduct dental examinations of unidentified remains. This is also true for medicolegal investigators, autopsy assistants, or even medical examiners and coroners. Forensic odontologists are much more familiar with the many new and often difficult-to-chart cosmetic or tooth-colored restorations; orthodontic treatments; and other dental conditions, treatments and materials unlikely to be recognized or catalogued correctly by an anthropologist or other medical/legal specialist.

A forensic odontologist may also be able to provide information about the level of medical care an unidentified child may have received, which can give clues about the child's lifestyle as well. The type of dental care received, if any, provides indicators of a child's social and economic background and can thus steer investigators closer to an identification. For example was the dental treatment the type commonly performed by a dentist? Was the treatment the type commonly performed by dental aid offices or clinics? Did the child receive good dental care? Was any dental work initiated but not completed?

**Figure 7-8**

**Best practices for obtaining and using dental data from unidentified remains**

**Ensure a trained specialist:**

- Obtains dental records from the unidentified remains as **soon as possible** following an autopsy, especially when remains are decomposed, burned or skeletal. Conversely, when documenting information about a missing child's case, obtain and enter into NCIC and NamUs dental records as soon

as possible. Since dental offices may destroy dental records once a patient is no longer treated, it is imperative to obtain these records while still available.

- Completes an oral and radiographic dental examination with ultraviolet light in a dark room to locate any composite such as tooth-colored restoration or sealants. All areas of the oral cavity should be radiographed even if decedents are without any teeth because bone patterns, root tips, maxillary sinuses and other anatomical landmarks can facilitate identification even if no teeth are present.
- Takes color photographs of the occlusal, facial and if possible lingual surfaces of the teeth in order to document findings.
- Obtains permission of the medical examiner or coroner, if conventional dental radiography is not available, to section the maxilla and mandible at the midline and have the two halves radiographed with the medical radiography unit. The lingual or tongue side must be placed down on the cassette and labeled as to right and left.
- Takes a right and left oblique lateral skull, an anthropological plane or AP skull and a Waters view of the head, if the remains are viewable and resection is not an option, to document dental conditions as accurately and thoroughly as possible. Radiographs should be marked as to orientation of right and left.
- Removes teeth for DNA testing after a dental examination is completed. Removed teeth should be noted, and any trauma to the bone from the removal is to be documented.
- Retains the skull and mandible, if feasible, for any future biometric, reconstruction or geographical analyses that may be on the horizon in forensic sciences. Such retention should be less problematic than an exhumation.<sup>105</sup>

CODIS is the name for a software system and databases maintained and supported by the FBI. It stores and compares DNA profiles within different index levels. For more information about CODIS visit [www.fbi.gov/about-us/lab/biometric-analysis/codis](http://www.fbi.gov/about-us/lab/biometric-analysis/codis).

Once a profile is uploaded into CODIS it can be searched against appropriate indexes for potential matches. After a profile is uploaded it remains in the system until a match is confirmed, unless the lab is instructed otherwise. CODIS allows federal, state and local crime laboratories to exchange and compare DNA profiles electronically, link unsolved crimes to known offenders and compare DNA profiles of unidentified human remains to those of missing people.

The CODIS system operates at several levels. Local laboratories can maintain their own local database for forensic profiles. All DNA profiles are initially entered into the **Local DNA Index System or LDIS** and flow up to a state or SDIS database if they meet the proper criteria. Profiles at LDIS labs do not get compared to those held by other labs until they flow up to SDIS.

A **State DNA Index System or SDIS** is a database containing forensic profiles from local laboratories in that state, plus forensic profiles analyzed by the state laboratory itself. SDIS allows that state's LDIS labs and state lab to exchange and compare profiles for potential matches and leads. If no matches are made on this level, the profiles will flow up to the National DNA Index System or NDIS if the profiles meet the NDIS criteria. Each state's SDIS system is independent and those in different states do not speak to each other. As a result a profile in one state's SDIS cannot be searched against those in another state's SDIS.

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<sup>105</sup> NamUs Forensic Odontologists Richard Scanlon and John Filippi, National Missing and Unidentified Persons System, interview by editor, June 18, 2015.

Profiles from each state and FBI laboratory meeting certain requirements are uploaded into NDIS. In accordance with federal law,<sup>106</sup> specific rules govern whether a profile can or cannot be uploaded to NDIS. Some categories of samples, as well as DNA profiles not meeting a minimum number of DNA loci are not eligible for entry into NDIS. While not every profile meets the criteria for entry, Mitochondrial,<sup>107</sup> STR or Nuclear,<sup>108</sup> and Y-STR<sup>109</sup> profiles are all allowed to be entered and searched in NDIS for missing/unidentified person cases. To confirm the DNA profile for an unidentified child is in NDIS, investigators should check with the lab which processed the case. NCMEC can also help in determining this information.

CODIS indexes profiles in the following categories:

- Convicted Offender containing DNA profiles of individuals convicted of crimes.
- Arrested Persons containing profiles of those arrested if their state's law permits the collection of arrestee samples.
- Crime Scenes/Forensic contains profiles developed from crime scene evidence such as semen or blood.
- Missing Persons contains direct reference samples of the profiles from people reported to be missing.
- Relatives of Missing Persons contains family reference samples consisting of profiles voluntarily contributed from relatives of missing people.
- Pedigree Trees contain family reference samples consisting of a graphical representation of the relationship between a missing person and two or more relatives.
- Unidentified Human Remains contains profiles developed from unidentified human remains.

Indexes search against each other but they do not all search against all other indexes. Below is a matrix of which indexes each will search against.

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<sup>106</sup> See 42 U.S.C. §§ 14131 through 14137c.

<sup>107</sup> Mitochondrial DNA or mtDNA is DNA that is passed from a mother to her children, either male or female, and mtDNA is passed through the maternal blood line only. Mothers contribute 100 percent to their children's mtDNA. MtDNA is not unique to an individual as multiple generations can share the same mtDNA, and mtDNA can be used to support a proposed identification.

<sup>108</sup> Nuclear DNA or STR is DNA contributed by both the mother and father to their children. Each contributes 50 percent. This is DNA that is unique to an individual and can provide positive identification.

<sup>109</sup> Y Chromosome STR or Y-STR is DNA passed from a father to his male children only. A father contributes 100 percent to his son's Y-STR. Y-STR is not unique to an individual as multiple generations can share the same Y-STR. Y-STR can be used to support a proposed identification.

Figure 7-9

Matrix showing which CODIS indexes each will search against					
	Forensic	Convicted offender	Unidentified human remains	Missing persons	Relatives of missing person/pedigree trees
Forensic	X	X	X	X	
Convicted offender	X		X	X	
Unidentified human remains	X	X	X	X	X
Missing persons	X	X	X		
Relatives of missing persons/pedigree trees			X		

The **National Missing and Unidentified Persons System or NamUs** can be used by investigators to determine the status of DNA testing in cases they are investigating. NamUs has a status screen in each case profile that can indicate if DNA is available or how far along it is in the process of becoming available, the type of DNA developed, the lab processing the DNA, the lab's reference number, the ORI number of the original reporting agency, and any additional comments.

**Note:** NamUs does **not** store DNA profiles. It is only a place where one can find out if DNA is available and where. No cross-matching between DNA profiles is done in NamUs.



Figure 7-10

The screenshot shows the 'DNA' section of the NamUs interface. At the top, there are buttons for 'Save Changes', 'Un-Publish', 'Delete', and 'Add to Case Tracking'. Below this is a 'Send request for help to RSA' link. The main area is divided into two columns, each with a 'Select one - Required' dropdown menu. The left column shows a sample with relationship 'Mother', type 'mtDNA' and 'nucDNA', location 'CA DOJ (Jan Bashinski Laborab)', reference # 'MP-08-0025', lab ORI, and comments 'Per NCIC Entry'. The right column shows a sample with relationship 'Missing Individual', type 'mtDNA' and 'nucDNA', location 'University of North Texas', reference # '11-0001.1B1', lab ORI 'TX220035Y', and comments 'Complete mitochondrial DNA and complete STR profile uploaded to NDIS CL'. At the bottom of each column are 'Add Another DNA Sample' and 'Order DNA sample collection kit' links. The bottom of the screen has '<< Previous Page' and 'Next Page >>' buttons.

Example of DNA screen in NamUs

For more information about NamUs visit [www.namus.gov](http://www.namus.gov).

When submitting samples for DNA testing from fresh bodies, blood or tissue samples should suffice as long as severe decomposition has not occurred. With skeletal or decomposed bodies, long bones and intact molars, without restorations, are optimal. It is recommended several long bone samples be submitted to the lab in case the first sample fails to produce a profile. If a body has been cremated or buried in an unknown location, other sources of DNA might still exist such as autopsy samples on slides, in tissue blocks and in blood tubes; from a sexual assault kit; or from a forensic anthropologist assessment if one was done. The forensic anthropologist may also have retained some bone samples.

Two questions may arise about using DNA to identify unknown remains. They are how to select a laboratory and when a previously tested sample should be tested again.

**What lab should you choose?** The University of North Texas or UNT lab processes the majority of missing person and unidentified remains samples in the U.S. State labs doing missing person work with CODIS access are:

- Arizona Department of Public Safety or AZ-DPS Crime Lab.
- California Department of Justice or CalDOJ lab.
- Connecticut State Forensic Science Lab.
- Minnesota Bureau of Criminal Apprehension or MN-BCA Lab.
- New Jersey State Police or NJSP Forensic Services Lab.

Other labs able to process remains samples include the FBI Federal DNA Database Unit at 703-632-7529 and [www.fbi.gov/about-us/lab](http://www.fbi.gov/about-us/lab) and the UNT Center for Human Identification at 1-800-763-3147, [MissingPersons@unthsc.edu](mailto:MissingPersons@unthsc.edu), and [www.unthsc.edu/contactus](http://www.unthsc.edu/contactus).



All DNA testing pertaining to unidentified and missing person cases is performed for **free** under National Institute of Justice DNA funding. Not all labs, especially local or private labs, have protocols in place for processing bone samples. It is important for law enforcement agencies to use one known to be a “bone lab.”

It is important to use a lab that can perform both nuclear, STR, and mitochondrial, mtDNA, DNA testing. Both are important for searching capabilities in CODIS and identification purposes. If only one technology is used, the profile will not be searching at its highest capabilities within CODIS. Investigators should verify with the laboratory they are working with the profiles being searched at the national level of CODIS-NDIS.

**Note:** NCMEC can help facilitate DNA testing for all juvenile unidentified person cases at no cost to your agency. To request this assistance call 1-800-THE-LOST or 1-800-843-5678.

**When should a sample be retested?** Methodologies are continually advancing and improving. Samples failing to yield results five years ago may yield full profiles today. Some labs are also successful at obtaining profiles when others have failed, due to slight differences in procedures. Consult your lab or NCMEC if you think retesting may be beneficial.

## **Fingerprints**

In 2014 Next Generation Identification or NGI replaced the Integrated Automated Fingerprint Identification System or IAFIS as the FBI’s biometric system. NGI involves the use of state-of-the-art multimodal biometric services. It provides enhanced ten print and latent search capabilities; a new palm print repository allowing search and enrollment services; mobile rapid fingerprint identification; facial recognition services; an enhanced photo repository for facial photos and photos of scars, marks and tattoos or SMTs; text-based SMT searching; and iris pattern registration and search services. The NGI repository contains biometrics for more than 106 million identities. On average nearly 200,000 new submissions are processed each day.<sup>110</sup>

Biometrics of missing and unidentified people of any age may be searched and enrolled in NGI. Searching and enrolling fingerprints allows the investigating agency to be notified of the subject’s identity and, when enrolled, makes the biometrics available for retrieval and allows them to be searched by all new daily submissions. NGI services are available for all missing and unidentified – living and deceased – people, regardless of the individual’s age. However, the submission of biometrics for young children is not common practice. Should agencies begin using NGI biometric services for cases of missing and unidentified children, the likelihood of generating identifications and investigative leads could be dramatically enhanced.

## **Electronic submissions**

Biometrics for missing and unidentified people should be submitted to the FBI’s NGI system electronically via the state Automated Fingerprint Identification System or AFIS when possible.

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<sup>110</sup> Management and Program Analyst Cindy Johnson, FBI’s Criminal Justice Information Services, interview by editor, April 23, 2015.

Detailed information about this submission process may be found in the Electronic Biometric Transmission Specification document available at [www.fbibiospecs.cjis.gov](http://www.fbibiospecs.cjis.gov). Contact the FBI-CJIS Division's Customer Support Group at 304-625-5590 or your state law enforcement agency for assistance.

### **Manual submissions**

When electronic submission is not possible, biometrics for missing and unidentified people may be sent to the FBI-CJIS Division for manual processing. For assistance with such manual submissions related to **missing people** contact a CJIS Division document specialist at [DOCSPEC@leo.gov](mailto:DOCSPEC@leo.gov). For assistance with such submissions related to **unidentified people** contact the Special Processing Center at [spc@leo.gov](mailto:spc@leo.gov).

### **Latent prints**

Latent prints may be searched against the NGI repository and enrolled into the Unsolved Latent File or ULF. All new fingerprint submissions are searched against the ULF. Unlike ten print searches, which produce a positive identification, latent searches produce a list of possible candidates that must be reviewed by a latent print examiner. A hit against a latent print residing in the ULF will generate an Unsolved Latent Match or ULM notification. The ULM is sent to the agency that enrolled the latent print. Contact the CJIS Division's Latent and Forensic Services Unit at 304-625-5868 or [IST@leo.gov](mailto:IST@leo.gov).

All postmortem fingerprints for unidentified children should also be coded and uploaded properly into the NCIC and NamUs databases. NCMEC and NamUs staff can help facilitate having a fingerprint expert code postmortem fingerprints of an unidentified child and help ensure they are coded and uploaded properly into both NCIC and NamUs. NamUs also has staff who can complete a direct fingerprint comparison between a missing and unidentified child.<sup>111</sup>

### **Medical information**

It is essential to document and disseminate information about unique physical features such as:

- Scars, marks, tattoos and piercings.
- Abnormalities such as pigeon toes or scoliosis.
- Evidence of prior surgeries and medical conditions such as anemia, diabetes, septicemia and pneumonia.
- Information about healed fractures or other injuries.
- Indicators of high-risk lifestyle such as alcohol and drugs detected in toxicology screens and STDs detected in blood work.

Full body X-rays should also be taken. They can be digitized and retained for case records and appropriate dissemination.

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<sup>111</sup> Management and Program Analyst Cindy Johnson, FBI's Criminal Justice Information Services interview by editor, April 23, 2015.

As science and technology continually improve, consideration should be given to a possible **exhumation** if the initial biometric collection was incomplete. An **exhumation** of remains may be useful for a variety of reasons including to:

- Obtain samples for DNA analysis.
- Conduct a forensic anthropology exam.
- Take full body X-rays.
- Scan the skull to enable 3-D facial reconstruction.
- Conduct a forensic odontology exam to help narrow age range.
- Perform isotope testing. For more information about this topic see “Figure 4-1: Emerging technologies” on Page 103.

NCMEC can facilitate and in some cases may be able to help agencies seek funding for the cost of exhumations. Additionally NCMEC can provide Project ALERT volunteers, including forensic anthropologists, to provide technical assistance in locating a gravesite, exhuming a body, performing a full anthropological assessment and coordinating submission of samples for DNA testing. For more information about these services visit [www.missingkids.org/ProjectALERT](http://www.missingkids.org/ProjectALERT).

All **photographs** pertaining to a case should be collected and collated. These include photos of the victim and of details such as scars, piercings, tattoos, clothing and jewelry found on or near the body. It should also include photos of objects found at the crime scene such as a backpack, a blanket or papers. The collection should also include all crime scene photographs.

In assembling a photographic record, investigators should be sure to check for photos in the original law enforcement and medical examiner/coroner files and in files from the crime scene photographer, the crime lab and an anthropologist’s examination. In addition photos may be available from local news outlets covering the story when the body was first discovered. NCMEC can help digitize and enhance photographs, negatives, slides and Polaroid® prints for analysis, preservation and distribution.

## Investigative considerations

When law enforcement and the medical examiner/coroner’s office respond to an unidentified body, consideration should be given to completing the *NCIC Unidentified Person File Data Collection Entry Guide*. This useful guide can be found in PDF interactive format and obtained from the FBI’s Criminal Justice Information Services Division by calling 304-625-3000. It is recommended law enforcement work closely with the medical examiner/coroner’s office to help ensure all available information is accurately documented in this guide. The guide helps streamline the NCIC entry process.

Once the available information is gathered and entered into NCIC and NamUs, the process of comparing unidentified remains to missing person entries and evaluating leads can get started. When the unidentified human remains are suspected to be a child, consideration should be given to contacting NCMEC as well by calling 1-800-THE-LOST or 1-800-843-5678. Uploading biometrics to national databases is a good first step, but proactive searching for possible matches

to missing person entries is equally as important. NCMEC can also assist with searches involving children by evaluating leads and facilitating DNA, dental, fingerprint and other forensic comparisons.

Searches should be conducted in NCIC, NamUs and the NCMEC database.

It is important to note the date of last contact in NCIC missing person records may not be accurate, especially for frequent runaways or children missing from care. Thus investigators should not exclude a potential match because of a discrepancy in the dates of last contact without further evaluation. Similarly, although it can make searches more time-consuming, investigators have to allow for inconsistencies in other search criteria and avoid making their parameters too narrow. This is to help ensure they do not miss a positive match just because some data may be different in different records. This is especially true of age range and even gender because determining the sex of skeletal child remains without the aid of DNA can be highly problematic.

**Figure 7-11**

<b>Case summaries: Investigators misled by apparent discrepancies</b>
Below are case examples the author is aware of in which investigators were misled by apparent discrepancies between unidentified remains and case records of the missing child resulting in delayed identifications.
<b>Inconsistent dates of last contact</b>
No one connected to the child actually knew when she went missing. Consequently the date of last contact entered in the NCIC case record was only a best estimate. As it turned out her body was located more than three months earlier than the last contact date in NCIC records, which is why the system would never have matched the Jane Doe with the missing child. The identification was eventually made through a DNA hit in CODIS. A further complication was a significant discrepancy in dental information. Dental records for the missing child indicated she had only one tooth restored, but the Jane Doe's dental records showed she had restorations in five teeth. It is unknown whether the missing person's dental records were outdated or whether there were errors in the charting or entry of the dentals into NCIC.
<b>Inconsistent age estimate</b>
A 15-year-old girl went missing from her home. Three weeks later human remains were found just three miles from her home but across the state line in a different jurisdiction. Unfortunately it was wrongly concluded the remains were of a 30- to 35-year-old woman, and this finding was listed in case records and national databases. As a result, despite the geographical proximity and relatively short time between when the child was last seen and the discovery of the body, no association was made between the Jane Doe and the missing child until six years later when a DNA hit in CODIS confirmed that Jane Doe was in fact the missing child.
<b>Incorrect gender listing</b>
The original anthropology report from 1989 listed a deceased child as a female. The report also listed a bony abnormality in one ear that would have caused the victim to be partially deaf. Twenty years later, in 2009, another anthropologist re-examined the remains and felt uncomfortable about accepting a gender listing without confirmation from DNA testing. It is often difficult to correctly determine the gender of prepubescent children based only on an anthropological exam of the skeleton. The second anthropologist also realized the bony abnormality in the ear was an erroneous finding. It was actually modeling clay from the facial reconstruction. In fact the ear had no structural defects. In addition DNA testing showed the child

was male instead of female as previously thought. An identification was made by a DNA hit in CODIS immediately thereafter. If the sex and bony abnormality findings had been recognized more quickly as inaccurate, this victim might have been identified much sooner.

#### Teaching points

- Follow-up with the investigating agency to discuss lead, and do not rely solely on information located in reports.
- Expand dates and ranges to include a greater number of possible leads.
- Use multiple biometrics to determine an exclusion if DNA is unavailable.

#### Lesson learned

There may be inaccurate or inconsistent information within reports.

In searching a database for a possible match with an unidentified child's remains, investigators should start with records from the same city where the child was found and then expand the search if no likely matches are identified. At times an unidentified child's name may actually be mentioned in a lead from an earlier investigation that was kept in the case file. If any such historical leads are found, these should be evaluated and eliminated before a new search is undertaken.

Possible matches that have been evaluated and excluded should be carefully documented such as on an Excel spreadsheet. Documentation should include agency case numbers, the date an exclusion was made, the name and title of the person who made the exclusion and the forensic basis for the exclusion. Documenting exclusions allows investigators to move on from previous leads with confidence no one has been falsely excluded. When possible original lab reports should be obtained for all DNA exclusions. Also, in addition to the investigator's own record, an exclusion should be documented in the NamUs record as well.

**What should be done when an unidentified child was **not** reported missing?** This question confronts investigators all too often. In some instances children went missing but were never officially reported to authorities as missing. In others children were reported missing but for multiple reasons their cases never made it into a searchable national database or were removed when a child would have reached the age of 18.

When missing child searches in the national databases do not yield any leads, the following steps are suggested:

- Check local archived files for unresolved reports of missing children. The Missing Person File in NCIC was not created until 1975,<sup>112</sup> and information about someone who went missing before 1975 may not have been added into the database at a later date. Alternatively a missing person case may have been administratively cleared because authorities could not validate

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<sup>112</sup> "2015 NCIC Missing Person and Unidentified Person Statistics Pursuant to Public Law 101-647, 104 Statute 4967, Crime Control Act of 1990 Requirements," accessed Feb. 12, 2016, [www.fbi.gov/about-us/cjis/ncic/ncic-missing-person-and-unidentified-person-statistics-for-2015](http://www.fbi.gov/about-us/cjis/ncic/ncic-missing-person-and-unidentified-person-statistics-for-2015).

the status of the missing person. For example a missing child may still have been missing, but contact with a relative was lost. It is vital to check archived paper reports as not every missing person case gets entered into a national searchable database.

- Search historical records for missing child cases cleared during the year before an unidentified child is estimated to have died. The child may have been a frequent runaway whose last runaway episode was never reported to authorities. The investigator should look for frequent runaway cases that were cleared shortly before the unidentified child's death. Typically the best procedure is to search city and county law enforcement records first, then reach out to neighboring counties and request the same searches. Finally a broader offline NCIC search can be run if appropriate.
- Consider searching NCIC for wanted person files, not just missing person files, if the unidentified child is an older juvenile. In one case familiar to the author an unidentified child was identified as an 18-year-old who was wanted for stealing a county vehicle. The juvenile had been entered into NCIC as Wanted not Missing.
- Check domestic disturbance calls made in the local jurisdiction before the child died if the unidentified child is younger and died a suspicious death. Look for incidents involving a child of the same sex and roughly the same age as the unidentified child. Social service agencies can also be contacted to check their records for the relevant time period and see if they had any reports of abuse of a child who matches the unidentified person's physical description.
- Use media to help publicize information about your victim targeting a specific age group, region or audience. Explain you do not believe this person was reported missing to authorities, but you are seeking the public's help. *See the "Media strategy" Section beginning on Page 171, for more ideas.*
- Get information out to adults beyond the victim's family who may have had contact with the missing child. For example a dentist, pediatrician, social worker, teacher or pastor might remember a patient, student or group member who suddenly stopped coming, for unexplained reasons, to services or appointments.

Regardless of what records are inherited from earlier investigators, it is important to try and **build a robust investigative case file** for a continued effort to find a name for the unidentified remains of a child. NCMEC can assist in the collection and organization of documents. These include:

- Investigative reports.
- Crime scene reports.
- Medical examiner reports, autopsy and anthropological analysis records, and dental charts.
- Toxicology report.
- Lab/forensic reports.
- Evidence chart.
- DNA/CODIS confirmation report.
- All available newspaper articles.
- All available photographs.
- All available maps/diagrams.

- Comparison spreadsheet.
- Forensically verified exclusions.

Continued investigative efforts may include **reviewing evidence** by identifying and locating probative evidence items collected in earlier investigations. If a piece of evidence is said to be lost, experienced investigators know not to accept this explanation without checking again and again since lost often means misplaced and possibly sitting somewhere in the office of the law enforcement agency or medical examiner. Investigators must also try to answer a long list of questions, such as:

- Has the evidence in any way been physically compromised over the years? For example handled by ungloved hands at the crime scene or exposed to high temperatures or other environmental issues in the evidence room?
- Is the chain of custody intact?
- Are DNA elimination samples available from first responders, law enforcement and medical examiners?
- Is the last date of testing known?
- Is it known which lab(s) did the initial testing and what methodologies were employed?
- Is it possible something might be gained from another round of testing? Was anything missed?
- Are there new technologies available to be used and will those findings be admissible in court? Are these technologies suitable for the particular items of evidence being considered for a new examination?
- Is the lab selected for new testing fully accredited? Does it have a good reputation, and does it have experience with evidence from long-term cases?
- Have investigators considered what it will mean to the case if the suspect's DNA isn't present or if DNA from an unknown person is present?
- **Can the results be uploaded to CODIS?**

When reviewing evidence never assume all convicted offenders have their DNA in CODIS. If any suspects in a case are convicted offenders, investigators should verify their DNA is in CODIS or request a direct comparison from convicted offender files with the unknown DNA profiles obtained in the investigation.

For additional information about this topic *see* "Chapter 4: Evidence review" beginning on Page 96.

**Historical research**, looking back at circumstances and events occurring around the time a victim is believed to have died or be in the area where the body was found, can add great value for those trying to identify the remains of an unknown child.

Crime reports and law enforcement files can be searched for material possibly revealing connections with other cases or leading to the development of new leads. This could include material such as any missing child report or indications of attempted abductions, domestic

disturbance or suspicious vehicles. Back issues of newspapers and magazines can pinpoint local events that might have brought the victim to the area such as a festival, trade show, sporting event or contest. In the age of digitalization and search engines, news is far more archived and searchable than ever before.

Looking back in time can also draw attention to changes in the landscape of the area where a victim may have died or was found. Are the same buildings still there? Have any been demolished or replaced? Are they occupied by new owners or businesses? If the area was rural, is it still a field or country road or is it now covered over by a highway or a shopping mall?

If case files do not contain maps and photographs of the area from the time when the victim is believed to have died, old maps may be found on Google Earth or in libraries or offices of public works or public transportation departments or other local government agencies. Historical county and city road maps and historical United States Geological Survey or USGS maps are other possible sources of information.

Investigators can also explore whether a location where a victim was found was the scene of any other criminal incident, before or after the body was found. Were other bodies dumped there or in the surrounding area? Was the location known as a place where teenagers gathered to party? Was it frequented by drug users or gang members? Such information can also help investigators find new leads or new questions to explore.

**Figure 7-12**

NCMEC's Project ALERT biometrics support
<p>Project ALERT is a team of approximately 150 retired local, state and federal law enforcement professionals. Project ALERT's Biometrics Team is a subgroup made up of retired law enforcement professionals and former medical examiners, coroners, medicolegal death investigators and forensic anthropologists. The Biometrics Team focuses on providing assistance with cases of unidentified children. All team members have extensive experience and training in investigating unidentified children's deaths. Team members donate their time, services and experience providing technical assistance to agencies actively investigating such cases.</p> <p>This Project ALERT team collects comprehensive case materials from investigating law enforcement agencies and medical examiner/coroner offices on unidentified child cases. Case information is reviewed by NCMEC staff to help ensure proper resources are being offered and accurate information is entered into NCIC, NamUs and NCMEC databases. Team members will travel to jurisdictions across the country to meet with agencies in person to review and collect the case information.</p>

Multiple agencies and departments can be involved in trying to ascertain the identity of an unidentified child. Many times these are also homicide investigations when a **team effort** is critical. Identifying the child greatly increases the chances of solving the homicide. When the initial responding officers, medical examiners, medicolegal death investigators, crime scene technicians, crime analysts, forensic anthropologists and detectives are all working on the same case, it is vital to maintain routine communication among all those involved. Regular communication and group meetings will help ensure all efforts are being discussed and



documented. Such will also allow participants to share ideas about next steps and new resources that might help investigators resolve the case.

After all available local resources for identifying the unidentified child have been exhausted, authorities can consider presenting the case material to outside consultants or experts who may help focus the investigation, develop new investigative strategies, and recommend investigative steps and forensics testing not yet tried.

A jurisdiction can host its own **case review** inviting outside subject matter experts to the investigating agency for a case presentation. Attendees should include current and past investigators, the pathologist who conducted the autopsy on the unidentified child, crime scene personnel, lab staff, forensic anthropologists, homicide detectives working on long-term cases and analysts.

Alternatively jurisdictions can present case materials to knowledgeable audiences at any of several regional and national conferences. Presentations to a large audience or a smaller breakout group can be made in conference sessions of groups such as the International Homicide Investigators Association or IHIA, the Vidocq Society, the Mid-Atlantic Cold Case Homicide Investigators Association or MACCHIA, the National Association of Medical Examiners or NAME, or at the annual Crimes Against Children Conference organized by the Dallas Children's Advocacy Center and Dallas Police Department.

As still another alternative, NCMEC hosts comprehensive case reviews for child homicides and missing and unidentified child cases as discussed beginning on Page 79.

## **Unidentified living individuals**

While the majority of unidentified child cases involve deceased children, there are also occasional cases involving an unidentified person who is still living. NCIC defines an unidentified living person as someone who is living and unable to determine his or her identity such as an amnesia victim or infant.<sup>113</sup> Some cases involve people who have reason to believe they were abducted as children when they were too young to remember their real names or other identifying details and who are now seeking to trace their true identities. Other cases involve conditions leading people to suspect they were abducted such as rumors circulating among family members, lack of a valid birth certificate or other suspicious circumstances.

Investigating these cases may involve:

- Conducting searches to try and verify the true identity of birth parents.
- Making DNA comparisons with alleged birth parents, siblings or other close relatives. If testing indicates the person is not related to those claiming to be parents, his or her DNA should be submitted to NDIS for searching for a possible match.

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<sup>113</sup> "2015 NCIC Missing Person and Unidentified Person Statistics Pursuant to Public Law 101-647, 104 Statute 4967, Crime Control Act of 1990 Requirements," accessed Feb. 12, 2016, [www.fbi.gov/about-us/cjis/ncic/ncic-missing-person-and-unidentified-person-statistics-for-2015](http://www.fbi.gov/about-us/cjis/ncic/ncic-missing-person-and-unidentified-person-statistics-for-2015).

- Searching missing person records.
- Employing standard unidentified child case investigative methods.
- Considering media outreach.

## **Emerging technologies for medical examiners, coroners and law enforcement**

During a case review, if investigators have already done the standard biometrics searching in national databases and have intensively explored other customary investigative avenues, it is time to consider other alternatives that could possibly lead to solving the case. Below are some possibilities.

In **isotope testing** strontium and lead isotope data from teeth or bone material can be used to identify the geographic area an unidentified decedent may have come from or lived in during various times of life and thus point toward identifying factors such as nationality or the decedent's degree of mobility.<sup>114</sup> This type of testing is performed pro bono for NCMEC-related cases by laboratories at the University of South Florida and the Smithsonian Institution.

Samples typically analyzed are bone, enamel or hair. Each sample type has the potential to provide information about geographic origins for the time in which the material was formed. Because tooth enamel does not regenerate over a person's life, analysis of a tooth sample can give clues about where the person was in early childhood. Bones do regenerate so analysis can indicate where a person lived for a prolonged period during the last seven to 10 years of life. Hair analysis may give information about location in the years or months closer to the person's death.

**Bomb-pulse testing** helps establish a date of birth by measuring the level of carbon-14 in tooth enamel. Cold War era nuclear testing led to a spike of carbon-14 in the atmosphere at a precisely known time. Thus the ratio of this isotope in tooth enamel can accurately indicate a year of birth for anyone born as far back as the 1940s. If the person was born before then, the testing results will simply indicate they were born before 1940. This degree of accuracy is possible because, as previously noted, when tooth enamel is laid down, it never regenerates like most other bodily tissue. Therefore the analysis of the composition will provide the carbon-14 ratio at the time the tooth was formed. A reliable estimate of the year of birth will obviously be of significant value to investigators seeking the identity of a deceased child.

Carbon-14 testing is performed by research groups in California and Sweden. Two intact teeth, such as molars and wisdom teeth, are ideal for thorough testing but other bones can also be used. This methodology, which has been presented in the *Journal of Forensic Science*,<sup>115</sup> has been used

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<sup>114</sup> For more information about this topic see Brian Beard and Clark Johnson, "Strontium isotope composition of skeletal material can determine the birth place and geographic mobility of humans and animals," *Journal of Forensic Science*, 45(5), 2000.

<sup>115</sup> C.F. Speller, K.L. Spalding, B.A. Buchholz, D. Hildebrand, J. Moore, R. Mathewes, M.F. Skinner and D.Y. Yang, "Personal identification of cold case remains through combined contribution from anthropological, mtDNA, and bomb-pulse dating analysis." *Journal of Forensic Science*, Vol. 57(5), September 2012, 1354-1360.

successfully to help identify bodies of victims in Thailand after the 2004 tsunami and a John Doe from the 1960s.

**SNP-based phenotypic predictions** is a method of analysis using Single Nucleotide Polymorphism or SNP technology to translate select biomarkers from a DNA sample into predictions of various physical traits of the sample source. The forensic DNA analysis service offered by Parabon® Snapshot™ generates a descriptive profile indicating a subject's sex; ancestry; pigmentation such as skin color, hair color, eye color and freckling; and face morphology. The profile also indicates excluded phenotypes. For more information visit [www.parabon-nanolabs.com/nanolabs/dna-forensics/](http://www.parabon-nanolabs.com/nanolabs/dna-forensics/).<sup>116</sup>

## Media strategy

Media can be an extremely valuable resource for an unidentified child investigation. Elements of a media strategy can include the following steps:

- Create a poster for release to the public including a basic physical description; unique identifiers; facial reconstructions; and images of clothing, jewelry and tattoos. As well as being disseminated to news outlets and other channels reaching a public audience, the poster should be featured on the law enforcement agency's and medical examiner's websites.
- Seek professional and local publications and websites to convey case information to their audiences. Possible outlets include the Regional Information Sharing System or RISS, American Dental Association or ADA, the dental licensing board for the state in which the victim was found, magazines such as *Police Chief*, high school alumni groups, and local college or university newspapers.
- Think of social media networks such as Facebook groups whose members are contemporaries and may share some background or common interests with the victim. Especially with younger and more recent victims, social media channels may reach people with exactly the knowledge and information investigators are seeking. NCMEC has a Facebook page called Help ID Me. It is entirely devoted to unidentified child cases. Your case can also be featured on this site. Select information about the child and/or clothing and artifacts found with the body can be highlighted. Someone looking at the page may not necessarily recognize the child's facial reconstruction, but might remember something about a piece of clothing or jewelry that could help the investigation.

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<sup>116</sup> NCMEC does not endorse or assume responsibility or liability for or make any representations or warranties regarding content or any products or services offered by third parties. NCMEC does not intend links to be referrals to or endorsements of the linked entities or their products or services.

Figure 7-13  
NCMEC's Help ID Me Facebook page

The screenshot shows the Facebook page for 'Help ID Me', a community managed by the National Center for Missing & Exploited Children (NCMEC). The page header includes a search bar and navigation links like 'Page', 'Activity', 'Insights', and 'Settings'. A banner at the top features composite images of children and the text 'Do you recognize us? Help ID Me. Call 1-800-843-5678.' Below the banner, the page is divided into sections: 'PEOPLE' (showing 31,043 likes), 'ABOUT' (providing information about the page's management and a link to the NCMEC website), and 'PHOTOS' (displaying a grid of child portraits). The main content area shows a post titled 'What have you been up to?' with a link to a news article about a missing child. The right sidebar displays statistics for the page, including 96 Page Likes and 8,572 Post Reach, and a section for 'See Your Ad Here' with a link to a news article about a missing child.

Main page where stories can be featured about specific cases.

Figure 7-14



**Help ID Me**  
Page Liked · August 12, 2014 ·

Jane Huntington Beach Doe 1990  
[www.missingkids.com/poster/NCMU/1226048/1](http://www.missingkids.com/poster/NCMU/1226048/1)  
[www.identifyus.org/en/cases/7672](http://www.identifyus.org/en/cases/7672)

Have information? Call 1-800-843-5678.

On April 1, 1990 an unidentified white female was found on the Pacific Coast Highway west of Newland in Huntington Beach, CA. She had been deceased for minutes.

It is estimated she was 18-24 years old, 5'3", and 122 pounds. Her hair style was wavy and chin-length. There were slight acne scars on her lower face and both ears were pierced once. All four wisdom teeth were missing, as were four other teeth from the left and right, top and bottom of her mouth; she also had porcelain crowns on four teeth in the top center of her mouth.

She was wearing a black dress, size small, label "ZZ", a hot pink loose knit sweater, and a red long sleeve shirt with a Native American design on the front, size small, label "New Hero". She was also wearing black fishnet stockings and hot pink pumps with decorative openings across the toe area, "Leather" imprinted in gold lettering on inside of shoe, size 6.

A ring of brown human hair was on her left pinky finger and there was a lock of hair in her pocket. She was found with an orange plastic large motel-like key tag with 218 imprinted in white and an attached gold color key imprinted with SC9 and an Orange County Bus Route (OCTD) schedule for 64 & 64A (Santa Ana to Seal Beach).

The reconstruction featured is an artist's rendering of what the Jane Doe may have looked like. Anyone with information should contact the Huntington Beach Police Department, reference case number 90-08240 or the Orange County Coroner, reference case number 90-01853-LY.

NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN

**Unidentified child profile on NCMEC's Help ID Me Facebook page.  
The public can leave comments, leads and tips.**

- Release as much descriptive information about the victim as possible including details about the location where the child was found and any clothing or artifacts found with the victim. However, disclosing the cause of death, especially if it's a homicide, may not be helpful to the investigation. Consider if publicizing the cause and manner of death will help identify the victim or distract the public from focusing on the facts that might help identify the child.
- Consider issuing a new press release every year on the date when the victim was found. The anniversary release will remind the community authorities are still working on identifying the victim and need help from the public. It should disclose any new information developed

that could help identify the victim and describe the efforts taken over the past year to make an identification such as the number of leads received and investigated during the year, DNA testing completed and uploaded into a national DNA database, and evidence located and tested at the local crime lab.

When publicizing a case consider who will be the target audience. Whom might it be most useful to contact with updated information about an unidentified victim? How old would the child's parents or classmates be today? Would useful information be more likely to come from older people in assisted living homes or senior citizen social groups? Or should investigators focus on church members, high school alumni associations, sport or hobby groups, or the like? In thinking about an appropriate target audience investigators should also consider whatever evidence they have that the victim received dental or medical attention and who might have treated the child from a general practitioner or dentist to a particular specialist. Other questions include does the clothing found with the remains reveal the type of stores a victim might have shopped at? Did the autopsy indicate the victim was a smoker, an alcoholic or taking a specific type of medication? Those indicators can lead investigators to target geographic areas known for illegal drug sales or pharmacies in business during the year the victim died. Such could also include community organizations helping young people in high-risk lifestyles. Did the victim have a tattoo or body piercing? If so contact tattoo parlors in operation during the year when the victim died.

NCMEC can assist in creating posters, utilizing social media and distributing information to the public and can help define targeted audiences and geographic areas.

## **Resources**

NCMEC provides the additional resources, as explained on the following pages, to aid law enforcement agencies in their work on cases of missing children.

## Sample unidentified child data form

**Note:** It is recommended law enforcement, medical examiners/coroners and medicolegal death investigators use a data form of this nature to help ensure complete information is obtained during examination

**Completed by**

**Date completed**

**NCMEC #**

**NamUs #**

**NIC #**

### **Investigating agency**

Law enforcement agency case #

Investigators

Telephone #

Email address

NCIC #

### **Medical examiner/Coroner office**

Medical examiner/Coroner case #

Pathologist/Anthropologist

Telephone #

Email address

ViCAP #

### **Key information**

Date body found

Probable year of death

Estimated postmortem interval

Description of remains

Disposition of remains

### **Demographics – Source of information**

Sex

Race

Age range

Maximum to minimum

Height range

Maximum to minimum

Weight range

Maximum to minimum

Hair color  
Hair length/Style  
Eye color  
Facial hair description

#### **Circumstances – Source of information**

GPS coordinates:  
    Latitude  
    Longitude  
Address body found  
    Street  
    City  
    State  
    ZIP code  
County in which body found  
Detailed location description

#### **Details of death – Source of information**

Manner of death  
Cause of death  
Secondary wounds  
Weapon type  
If firearm  
    Caliber  
    Make  
    Submitted to IBIS  
    ☐ Yes  
    ☐ No  
Blood alcohol %  
Toxicology results  
Detailed circumstances of death



**Medical/Physical descriptors – Source of information**

Please note location on body and detailed description

Scars and marks

Tattoos

Piercings

Other physical characteristics

Antemortem skeletal findings

Prior surgery

Foreign objects/Medical implants and add serial numbers if available

Other medical findings

**Clothing – Source of information**

Please include size, color and brand if available

Clothing on body

Clothing near/with body

Footwear

Jewelry

Other items found with body

**DNA – Source of information**

Victim's blood type

Status of DNA

Date of DNA testing

Date entered into CODIS

At what level of CODIS is the DNA entered?

If the profiles are not entered into NDIS, please explain why

Profiles available: Check all that apply

☐ mtDNA

☐ Nuclear STR

☐ Y-STR

Lab that processed the DNA/Date of testing

Lab ORI

DNA lab reference #

If DNA testing was attempted but did not produce a profile, please indicate what type of technology was used and if additional samples still exist for future testing

DNA comments

If a full mtDNA and STR profile is available, has a new sample been submitted for retesting?

☐ Yes

☐ No

### **Dental – Source of information**

Status of dental records

If not available please explain why

Are X-rays available

☐ Yes

☐ No

Are dental chart/descriptions available

☐ Yes

☐ No

Contact information for the person having the charting/X-rays including

Name

Title

Street

City

State

ZIP code

Email address

Telephone #

Check all that apply:

☐ One or more teeth present

☐ Baby/primary teeth present

☐ Filling or crown present

☐ Removable dentures

☐ Cemented bridge

☐ Models available

- ☐ Implants
- ☐ Braces
- ☐ Retainer
- ☐ Root canal
- ☐ Photographs available
- ☐ Upper jaw present
- ☐ Upper jaw had no teeth during life
- ☐ Lower jaw present
- ☐ Lower jaw had no teeth during life

Please comment on any other unique dental characteristics

Have dental records been coded by a forensic odontologist?

- ☐ Yes
- ☐ No

Date of exam

### **Fingerprints – Source of information**

Status of fingerprints

If not available please explain why

If available please indicate the contact information for the person having them

Name

Title

Street

City

State

ZIP code

Email address

Telephone #

Have the prints been submitted to the FBI's Next Generation Identification

- ☐ Yes
- ☐ No

If yes please provide the date

Have the prints been added to the NCIC entry

- ☐ Yes
- ☐ No

If yes please provide the date

### **Evidence – Source of information**

Crime lab case #

Crime lab name

Crime lab contact person

Name

Title

Street

City

State

ZIP code

Email address

Telephone #

Evidence found at scene

Semen present

☐ Yes

☐ No

If yes describe location on body and/or clothing or other evidence

Where is evidence currently being stored

Are lab reports available

☐ Yes

☐ No

If no please indicate why

### **Images**

Are photographs of the crime scene available?

☐ Yes

☐ No

Are photographs of the victim available?

☐ Yes

☐ No

Are photographs of the evidence available?

☐ Yes

☐ No

Has a facial reconstruction been completed?

☐ Yes

☐ No

If yes when was it completed and by which artist and department

Date

Artist name

Agency

Should a new reconstruction be considered

☐ Yes

☐ No

## Sample unidentified case file checklist

**Case #**

**Doe name**

**Investigator**

**Forensic checklist verification**

Record of autopsy

Date

By

Comment

Autopsy photographs

Date

By

Comment

Facial ID photograph

Date

By

Comment

Fingerprints

Date

By

Comment

Body radiographs

Date

By

Comment

Dental radiographs

Date

By

Comment

Dental charting and reports

Date

By

Comment

Anthropology report

Date

By

Comment

Facial reconstruction

Date

By

Comment

DNA report

Date

By

Comment

DNA entered into CODIS

Date

By

Comment

Information about child entered into NamUs

Date

By

Comment

Information about child entered into NCIC

Date

By

Comment

**Follow-up review within one year**

Date

By

Comment

**Case file complete**

Date

By

Comment

**The case file has been reviewed as well as any pertinent information applicable to this case. The remains have been completely processed and all available scientific collection means have been completed for possible future identification comparisons.**

**Signature of reviewing investigator****Date****Comments**



## Unidentified child investigation recommendations

- Conduct a death scene investigation:
  - Document detailed description of key information such as site where the body was located including GPS coordinates, surrounding buildings, weather conditions, placement of body and any attempts to conceal the body.
  - Obtain photographs of the crime scene from multiple angles.
- Document information at the scene that may assist in decedent identification:
  - Obtain preliminary description of the decedent including height, weight, hair color and style, eye color, marks, scars, and tattoos.
  - Obtain preliminary description of the decedent's clothing and/or any other personal belongings found with the child and disposition of the clothing such as pockets turned inside out, redressed, pants pulled down.
  - Obtain photographs of the decedent at scene before the body is moved.
- Search surrounding area for any evidence that will help identify the decedent.
- Conduct a neighborhood canvass. Check for witnesses, for bystanders, with area businesses and/or residents to see if they know the decedent or had any contact with the decedent before his or her death.
- Obtain postmortem fingerprints, if applicable, and search them through the FBI Next Generation Identification or NGI for a possible match.
- Enter decedent's information into NCIC as unidentified person. Include all physical descriptors, fingerprint codes, dental coding, case number and any clothing/jewelry information.
- Search missing person reports for a possible match by checking with local and surrounding agencies and conducting NCMEC, NCIC and NamUs searches.
- Complete detailed report of decedent:
  - Obtain a detailed description of the decedent with the assistance of the medical examiner.
  - Ensure the report includes digital photographs of the cleaned up face/skull from multiple angles, body, scars, tattoos, foot measurements, approximate age, approximate time since death, sex, race, skin complexion, body frame stature, eye color, glasses, hair color, length and style of hair, facial hair, dental restorations/orthodontics, location and number of piercings, deformities, and birthmarks.
  - Obtain a detailed description of clothing to include colors, brands, sizes and photographs.

- Obtain a detailed description of the internal exam – antemortem bone fractures, postsurgical intervention, absent organs, obvious diseases or lifestyle habits such as anemia, smoker or pneumonia.
- Obtain toxicology exam results.
- Secure additional biometric identifiers including a DNA sample, such as from blood, tissue, hair and bone samples, and full dental X-rays.
- Provide the decedent's detailed description to Missing Person Departments within all local law enforcement agencies to check for a possible match to the decedent. If possible email or fax the description with a photograph to Missing Person Departments within all local law enforcement agencies.
- Register the decedent's case with NCMEC for further assistance such as with regard to facial reconstructions, poster distribution, searches against missing children cases nationwide, facilitation of specialized exams and DNA testing.
- Enter the case into NamUs to gain assistance from the public and other investigators.
- Search missing person sites on the Internet, such as the Doe Network, to find a possible match to the unidentified person.
- Obtain the assistance of the local and national media in searching for the decedent's identity.
- Conduct regular reviews of case file to determine if new searches or new technologies would be beneficial to the investigation.

## National Center for Missing & Exploited Children®'s Forensic Services Unit

Resources are offered at no cost to  
requesting law enforcement agencies

- Use forensic artists and imaging resources to complete facial reconstructions, image enhancements and digitization.
- Facilitate poster distribution through specialized geographic and population targeting.
- Issue media announcements on anniversary dates and post featured articles on NCMEC's website and Help ID Me Facebook page.
- Assist with other national missing and unidentified person databases including NamUs, NCIC and ViCAP.
- Ensure biometrics, such as DNA, dental records and fingerprints, are collected, analyzed and searching proactively for every case.
- Conduct searches and comparisons to missing person cases helping to ensure all exclusions are forensically verified.
- Provide case analysis and technical assistance using a variety of public record databases, social networking websites and internal databases to enhance case information and develop leads.
- Facilitate assistance by professionals such as forensic anthropologists and odontologists.
- Facilitate case reviews to assess evidence and make recommendations that could help identify the child and/or perpetrator(s).
- Facilitate resources related to exhumations and the search for remains by forensic anthropologists and those with search and rescue experience.
- Organize and host comprehensive case reviews with experts to help evaluate case information and make investigative and forensic recommendations in order to increase case solvability.
- Coordinate federal liaison resources from the FBI, INTERPOL, Naval Criminal Investigative Service, U.S. Department of State, U.S. Marshals Service, U.S. Postal Inspection Service, U.S. Department of Homeland Security and U.S. Secret Service.

**Contact via 1-800-THE-LOST® or 1-800-843-5678**

**Visit [www.facebook.org/HelpIDMe](https://www.facebook.org/HelpIDMe)**

*Examples of skull reconstructions*



## **Chapter 8: Family dynamics and survivor recovery: Understanding the relationships**

by Robert G. Lowery, Jr.; Duane Bowers; Robert Hoever; and Angeline Hartmann

### **Quick reference**

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Most reports of missing or abducted children begin with the expectation by everyone the child will be quickly recovered regardless of the circumstances. Typically law enforcement will dedicate as many resources as necessary and immediately adopt a **whatever it takes** attitude to help ensure the child is found. In the earliest stages of a child abduction an abundance of officers is often assigned. Neighboring agencies, including the county and state, can provide assistance and personnel. The FBI can assign Child Abduction Rapid Deployment Teams. NCMEC's Team Adam consultants can be sent. Professional and volunteer search teams can be enlisted, and family members, friends and neighbors often offer their help. Despite these best efforts, promising tips sometimes lead to dead ends, suspects are developed and eliminated, and places to look for the child are searched to no avail. The intensity of the investigation gradually fades as the days or weeks and months pass. As the law enforcement activity winds down, so may the hopes of the family of finding their missing child adding to their tremendous pain, anxiety and despair. Long-term missing cases require additional consideration by law enforcement regarding family dynamics and the recovery and reunification of survivors.

The information presented in this chapter is the result of discussions with family members of long-term missing children, both with recovered and still missing children, and from survivors – former long-term missing children all of whom provide unique insights about their captivity and shared thoughts about how they may have been found sooner. Also included in the discussion were mental health professionals and law enforcement personnel from both local and national agencies all of whom have extensive experience in cases of long-term missing children.

For good reason families often view the law enforcement agency and investigative team as the best and only hope of finding their child. Colleen Nick, the mother of missing child Morgan Nick and a frequent speaker and trainer for law enforcement about the topic of child abduction, reminds her audiences, “As parents of missing children you’re literally all we have. We are completely dependent on you. We have nowhere else to go.” This is a concise but powerful reminder of the important responsibilities each law enforcement agency has to missing children and their families. No one else has the authority to detain and interview potential suspects; the ability to quickly locate witnesses, conduct searches, and obtain court orders/warrants; and access restricted or confidential data that may help develop a lead or a suspect.

*“As parents of missing children you’re  
literally all we have. We are  
completely dependent on you.  
We have nowhere else to go.”*

*Colleen Nick, mother of Morgan Nick who  
has been missing since 1995, addressing law  
enforcement audiences.*

The relationship between law enforcement and family members of the missing child will naturally go through what some term as **peaks and valleys** during a long-term investigation and search. While investigators and department leadership will often experience enormous frustration fueled by internal and external pressure for a successful outcome, families suffer their own continuous range of emotions. Families may experience emotions such as hope, panic, despair, helplessness, agony, pain, fear, anger, and even sometimes guilt or remorse as they may falsely blame themselves for what has happened or for what they envision is happening to their child. Additionally the anger sometimes felt by families may not just focus on the offender. At times that anger may be directed toward the law enforcement agency, which then may make personnel within the agency feel they have let the family down.

Regardless, through all these emotions, most families sustain the hope their child will be found no matter what the circumstances or how long it will take. With this in mind law enforcement must always be careful not to inadvertently diminish the feelings of hope carrying families through each day. To avoid this from happening investigators should not assume the worst has happened until the child is physically found or irrefutable evidence determines the child is deceased. Investigators must leave behind any biases by keeping an open mind and only making conclusions based on facts. It is also important not to draw unsubstantiated assumptions about the missing child case based on prior experiences. Doing so raises family concerns the investigators involved in the case have already made up their minds about what has happened to their child and are only focusing on that negative scenario. Such negative scenarios can include law enforcement believing the missing child is “just another runaway” or deceased. It is important to remember even in dire circumstances there have been several instances when long-

term missing children have been found alive and reunited with their families. Some children were believed to have run away but did not or initially ran away but ended up in dangerous and exploitive situations they were unable to leave. No matter what the circumstances, law enforcement needs to do everything possible to find and recover all missing children.

Throughout this chapter case studies are used to illustrate the events from the perspective of law enforcement and the searching families. These are first-hand accounts from families of missing and/or sexually exploited children, survivors, and mental health and law enforcement professionals who have worked directly with these families and survivors.<sup>117</sup> Each case study provides lessons learned and teaching points to demonstrate important themes gained from each perspective.

Both law enforcement and families must recognize maintaining a positive relationship over a sustained period of time is an important and critical factor to continuing the investigation in a meaningful way. Strained or adversarial relationships are almost always counterproductive and may lead to poor communications, overlooked information and missed opportunities. Patience, understanding and communication may help sustain a positive relationship over time.

**Figure 8-1**

<b>Harmful law enforcement statement</b>
"When the police officer was leaving the house he said, 'We will find your child. He's probably dead, but we will find him.'"
Mother of a long-term missing child.

**Figure 8-2**

<b>Case summary: Law enforcement creating false hope</b>
A mother of two missing children works tirelessly with her law enforcement team to uncover clues and leads as to the whereabouts of her children. At one point a detective on her case promised her children would be returned to her by the next holiday. They had uncovered a credible lead, and the hope was the children's whereabouts were finally known. The mother waited in anticipation, but the children were not found and she spent that next holiday alone. She described the feelings of intense highs and lows she has felt throughout the search, which has often strained her relationship with the law enforcement agency conducting the search as they share information with her.
<b>Teaching points</b>
<ul style="list-style-type: none"><li>■ Understand the importance of sustaining the family's feelings of hope, while maintaining professionalism in investigations by not promising results too soon.</li><li>■ Realize families pay close attention to every word said by investigators so it is important when providing information to be clear enough that the message is unlikely to be misunderstood.</li><li>■ Understand it is best to remain positive during all conversations with the family, but avoid comments communicating absolutes or promises.</li></ul>

<sup>117</sup> The personally identifying details of each situation have been intentionally omitted.

### Lesson learned

When speaking with families it is helpful for investigators to place themselves in the shoes of family members by carefully considering ahead of time how information may be received and how the family may respond.

Figure 8-3

### Englighted law enforcement statement

"What we learned as law enforcement is it's OK to sometimes show your emotion. It is a missing child."

Chief of police, North Carolina.

## Relationship with families: Overcoming the obstacles

### The basics

Good relationships share basic characteristics such as empathy, mutual respect, good communications and patience. But law enforcement and family relationships are unique because they develop during a crisis and must nurture and grow under the most difficult of circumstances. In cases of child abduction the relationship begins at the time of the initial report and generally ends, or commences to end, once the child is found. Unlike most other relationships, this one begins with an end in mind. As time passes it can be naturally expected there may be times of difficulty and adversity. Regardless it is essential to work together to overcome obstacles and simply focus on what matters most – finding the child. It will often fall on law enforcement to seek ways to minimize any potential damage to the relationship, which may be accomplished by simply taking the time to listen; appropriately answering questions; and, as much as possible, embracing families as partners in the search for their children. Families have unique knowledge and insight about the child, and families can be an enormous help in developing leads and information.

Figure 8-4

### Positive law enforcement support

"Even when my detective was transferred to another position, he was a valued resource and ally to me."

Parent of a missing child.

### As leads diminish

Additionally, as the investigation and search winds down, some families may feel law enforcement has given up hope of finding their child. For instance the sight of the command post closing and being dismantled can be especially upsetting to the family. Families will not always understand why the command post is no longer needed. Taking time to explain why fewer investigators are necessary, possibly pointing out the investigation has shifted to a more focused effort and is in the hands of the primary team or some other valid reason, may help reassure them.

Adding to the frustration of families is, over time, their calls to investigators to share information or get updates are slower to be returned. Even the calls to the family from the investigators or department leadership may become less and less frequent. It is always helpful for investigators to periodically contact families and reassure them they have not given up hope of finding their child. This gesture cannot be just in words but more importantly through actions.

Family members want to be proactive in the search for their child as they need to feel they are contributing in the effort in a meaningful way. If they feel isolated by law enforcement it may result in the family conducting their own searches and investigation. It is advisable to include them whenever and wherever possible to avoid having them, as some state, “going it alone” and to take full advantage of their unique insight and knowledge about the missing child and those people who become of interest to investigators.

Figure 8-5

Concerns expressed by searching family members
“It would be nice to hear from the chief of police at least once a year, every year.” Searching mother of child missing more than 25 years.
“For me, even if the detective can’t return calls or keep in touch, as they should, when the family goes to the station and sees the disconnection, then it’s like my child was abducted all over again.” Searching parent of another long-term missing child.

## Role of the law enforcement family liaison

A family liaison is a member of the law enforcement team who can facilitate communications between law enforcement and the family. Law enforcement may have someone in their agency assigned in this designated role.

While communication is often constant in the early stages between the lead investigator and the family, over the long term agencies may consider someone other than an investigator to serve in this capacity. In the past many agencies have relied on a trained family liaison officer, either sworn or civilian, as the main point of contact to keep an open line of communication with the family. This is someone who has a variety of law enforcement experience and knowledge who is available to the family to answer questions, such as those related to procedural issues or what to expect during investigations and searches. This may often prove helpful in relieving anxieties and the feeling many families characterize as **not knowing** what is going on in the investigation. Additionally, although this person is knowledgeable about the investigation, he or she should not be directly involved in the investigation so there is little risk of inadvertently divulging sensitive, developing or confidential information that could be harmful if prematurely released.

### Factors to consider in the family liaison role

A law enforcement agency’s family liaison should be:

- Knowledgeable about procedural issues and able to carefully explain what typically happens during investigations and searches in terms easily understood by a family in crisis.



- Capable of providing consistent messages from the investigating law enforcement agency and provide a continuity in communications serving to help reinforce the trust and confidence a family needs in the agency.
- Knowledgeable about all investigative and search events pertaining to the missing child and ensure the family is aware of all such events before the media reports them.
- Viewed as an experienced member of the law enforcement team and partner for the family as opposed to someone who is uninformed about the case, is isolating or blocking the family from the investigation, or just keeping an eye on them. If seen in any other light, this will often lead to an erosion of trust and possibly result in a fractured or severely harmed relationship between the family and law enforcement.
- Capable of and committed to educating the family about the definition and characteristics of the crime itself.
- Knowledgeable about dynamics within the family and learn of any specific cultural, religious or spiritual family beliefs or needs. When such are identified, the liaison needs to appropriately share those with the investigative team to help ensure the law enforcement agency is aware and respectful of those beliefs and needs.

A family liaison is simply someone responsible for maintaining an open line of communication and a positive relationship between the family and law enforcement agency. While they do not provide counseling for families, they may well serve as a conduit for helping the family secure these services and other resources.

### **Responsibilities of the family liaison**

The family liaison role helps manage the relationship between the investigators, agency leadership and families helping to ensure it remains positive. Depending upon the resources available in a specific community, this can include:

- Returning telephone calls to family members in a timely manner.
- Maintaining consistent contact with the family, even during times when there is no new information to share.
- Being available to explain the investigative and search process to family members.
- Being a single point of contact between law enforcement and the family.
- Assisting families in identifying meaningful areas where they may be proactive in helping find their child such as missing child poster distribution, volunteer search teams, social media postings, media interactions and organizing community awareness events.
- Collecting important victimology information and providing certain details or information needed for the investigation.
- Coordinating interviews with investigators and arranging for biometrics collection. It is recommended law enforcement explain to the family early on during the course of a missing child case the importance of biometric data collection and help families understand this is one of many tools to uncover answers, not a presumed negative outcome.

Family liaisons should know what resources are available to assist the family such as social services, counselors, support groups, nonprofit organizations and nongovernmental organizations. In that process they should:

- Help identify short-term needs versus long-term needs of the family.
- Coordinate the reunification process when children are recovered.

Family liaisons may also help families navigate the media process. By being as involved as possible, law enforcement helps ensure families do not inadvertently and unknowingly compromise the investigation. Family liaisons should:

- Help families establish clear, consistent messaging as well as practice delivery of that message.
- Help families understand they have the choice to say yes or no to media requests.
- Help families designate their media spokesperson. Since it may be beneficial to have one person speak on behalf of the family instead of several family members doing so, the family liaison may be instrumental in helping the family determine that person or a small group of people to publically speak on behalf of the family. And in doing so the media may respect that decision and lend more privacy to the family members not acting in this role.
- Keep families informed about upcoming press announcements and remain with them while viewing the event. In this process help families understand major media releases or announcements should come from someone with law enforcement authority such as the lead investigator or commander.
- Connect the family with the law enforcement agency's public information officer.
- Ensure the family knows messaging is vital as the missing child and/or abductor could be hearing the information presented to the public. When possible help guide families before they do their own press releases to help ensure this messaging is included.
- Help prepare and guide the family when bad news needs to be announced, from circumstances such as a promising lead being determined not to have a bearing on the case to remains being found or identified as the missing child.
- Attend family media events, vigils, birthdays and marker/anniversary dates of abduction remembrances. Such attendance tends to mean a great deal to the family, and these community activities may provide investigative insights or new leads. Noting who is in attendance and any unexpected absences from these important events may also serve an investigative purpose.

And when there is media coverage of such events, because the abducted child him- or herself could be watching news footage while in captivity, this is another potential opportunity for the family's message to reach their child or an abductor. The family liaison needs to show support for and assist in any way possible with the family's conveyance of these messages at these events.

The law enforcement agency may wish to research what victim services are available within their state by contacting the U.S. Department of Justice's Office for Victims of Crime or OVC. A map containing a listing of available services can be found at [www.ovc.gov/map.html](http://www.ovc.gov/map.html). The law

enforcement agency may also wish to contact the National Center for Missing & Exploited Children®'s Family Advocacy Division at 1-800-THE LOST® or 1-800-843-5678 for a list of any additionally known resources in their area.

While the National Center for Missing & Exploited Children or NCMEC does not generally provide direct or on-site family liaison services, the Family Advocacy Division does provide a wide array of resources to assist families and the law enforcement professionals who serve them. The master-level trained mental health and child welfare professionals at NCMEC work proactively to help families, law enforcement, social service agencies and mental health agencies by providing a support network for child victims and their families.

The victim and family support services provided by NCMEC's Family Advocacy Division include:

- Intervention when a family is in crisis and needs immediate help with a missing, sexually exploited or recovered/located child.
- Support for families of abduction and sexual exploitation survivors including helping them connect with other victims.
- Support, especially of an emotional nature, for endangered runaways and their families.
- Referrals to appropriate agencies and mental health professionals.
- Assistance with reunification from skilled mental health professionals to help reintegrate a recovered child back into the home during each stage of reconnecting and rebuilding.
- Support for siblings of victims.
- Assistance in locating federal, tribal, state and local organizations available to help sexually exploited children.
- Support for law enforcement if local services are not able to meet a family's needs.

Additionally NCMEC's Team HOPE, a group of victim parents and other family members, is available to provide support to families in crisis. As parents and family members of a missing or abducted child, the volunteers of Team HOPE know the pain, fear, frustration and loneliness that comes with having a missing or sexually exploited child. **With this knowledge and experience, and upon completion of training, family volunteers offer peer support to families of missing and sexually exploited children.**

### **Assisting families with the media**

When a child is missing, media attention can be overwhelming. Many families have never interacted with reporters before and doing so can be a distressing experience. It is critical for the family liaison to provide families a better understanding of how the media works in these situations. The family's response can help shape coverage of the case. The law enforcement agency's public information officer or PIO and family liaison can help provide a better understanding so the family can make appropriate decisions in the best interest of finding their missing child.

When a child first goes missing, media attention around the family can be intense with everyone wanting to talk to the family and neighbors. But when the child remains missing for an extended period of time, the opposite can happen – media interest can decrease significantly. With any news story, there can be cycles of peak media interest. The same applies when the story is about a missing child.

As time passes and media interest subsides, families and law enforcement need to work harder to keep the story in the news. The family liaison can work with the family and PIO to develop a media strategy to keep media coverage as active as possible. Any significant developments, such as important leads or items found during a physical search, new areas of interest and marker/anniversary dates as discussed in greater detail later in this chapter, can be points of media interest. Because someone out there knows something, the goal of media is to reach and convince that person to call law enforcement with any information he or she may have.

*Because someone out there knows something, the goal of media is to reach and convince that person to call law enforcement with any information he or she may have.*

It is important to remember the length of time a child will be missing is unknown. The family liaison can play an important role in preparing the family for a long-term situation, if such happens. This includes sharing some basics about working with the media, which could be helpful for families whether it's their first or 100<sup>th</sup> time interacting with reporters. Basics law enforcement family liaisons should share with families they work with include:

- Some reporters are good at their jobs, and other reporters may not have the experience or knowledge to do their job while at the same time being sensitive to the situation and the family's feelings.
- Always be prepared. It is important for families to **know their message, practice it and deliver it well.**
- All interviews with the family need to be controlled by the family. And family liaisons can reinforce this with every interview scheduled and attend as many as possible to help family members learn the best techniques to control interviews. This includes helping family members say no to interviews when they don't want to take part.
- All media and public events in which the family participates should be coordinated with law enforcement. Working together is vital to guide the public message and ensure the investigation is not compromised by information going public that needed to be concealed for investigative purposes.

It is important for family members to understand they always have a choice. Interviews can be emotional and draining. Families do not have to say yes to all media requests. If they want to

decline but would still like to get their message out to the public, they can ask another family member to help or appoint an appropriate spokesperson.

A family should do as much as they can to create public interest in the search for their child. Media publicity can be the best way to generate leads from the public concerning a missing child. It may even increase pressure and motivate an abductor to let the missing child go. **Don't wait! Families and law enforcement should immediately work with the media.** Every minute is critical when a child is missing, and the family and law enforcement share a responsibility to get the word out as quickly as possible. The more sets of eyes looking for a missing child, the better the chances that child will be recovered.

When investigators are conducting an active criminal investigation, it is understandable they may be focused on other aspects of the case not related to the generation of media coverage. The family liaison, working with the family and the PIO, can play an important role in developing and maintaining a solid media strategy, increasing media coverage and working toward a successful recovery.

**Embracing social media to help with the search** Although traditional media coverage is critical in disseminating pictures of and information about a missing child, it's important to consider working with all types of media. Traditional TV, print and radio media outlets can reach tens of thousands of homes, but social media can be the most important and flexible tool for the family of a missing child.

**Figure 8-6**

<b>Facebook posting helps law enforcement recover missing teen</b>
<p>In August 2014 the National Center for Missing &amp; Exploited Children was contacted by law enforcement seeking assistance in recovering a missing 17-year-old girl in the state of Washington. The teenager had not been seen since leaving her family home in July of that year, but she had telephoned her home once to tell her family she had married an "adult homeless male," the two had hitchhiked to Montana and they were possibly going to the Dakotas.</p>
<p>NCMEC closely coordinated with law enforcement and the family to obtain photos of the missing girl and began distributing her image to different areas in the Northwest.</p>
<p>In late August 2014 NCMEC received a lead from an individual who learned, from a Facebook posting of NCMEC's poster, the teen was missing. The caller had seen the girl near Coeur d'Alene, Idaho, and believed her to be camping in the Tubbs Hill area.</p>
<p>NCMEC immediately contacted the lead detective in the case. Law enforcement officials confirmed the lead, and the missing girl was safely recovered.</p>

Social media can make a dramatic impact at the beginning of a missing child investigation, but it is also an important tool for families when they experience a decline of media interest. It may also be the only resource when law enforcement is left with diminishing leads or options.

As mentioned in earlier chapters, the family of missing a child is, and always has been, the strongest advocate and most genuine voice for a missing child. Social media allows families to be heard without interference and without cost. **There are many reasons to consider using social media, and the family liaison should share the ideas noted below with the family, if they are not already aware of them, and assist families in their implementation:**

- **Supporters.** When a family tells their story through social media, this can lead to a community of support they may not have known they had. This new band of supporters will help spread their message and are the ones who can help provide strength when the family needs it most.
- **Message.** A Facebook page, tweet, blog or use of any other social platform is something family members can work on to be a part of the search effort and at the same time provide them with some sense of control. The media and law enforcement have different perspectives and priorities when speaking with the public; however, social media allows the family to add a personal perspective when they reach out to the public.
- **Story.** Traditional media outlets are increasingly short staffed and tend to operate under short lead times. Social media, especially the use of Facebook or Twitter related to a missing child's case, helps reporters find the story and gather the information they need from facts to pictures to video. And the "likes" and "shares" amassed help producers and journalists see how the story is relevant to their readers and viewers. Further, by tagging traditional TV, radio and news outlets in your posts, stations and agencies that control the news media are encouraged to take interest in your personal story.

**Social media considerations** There are many aspects of social media families should consider including:

- **Getting an editor-in-chief or page administrator.** Consider asking a nonimmediate family member or trusted friend to be the editor-in-chief/page administrator. He or she will have greater emotional distance from the missing child's case and help the family make better choices about what to say and when. Preferably this should be someone who is skilled with social media.
- **Avoiding negativity.** Families may encounter criticism from the public in social media contexts. The best option is to not engage with those voices. They are often uninformed, misguided or just looking to be out right cruel. Some identify these people as **trolls**, and often spread the message, "Don't feed the trolls." In Facebook those comments can be hidden from the public's view. This would be the best option; however, if it continues the person posting those messages can be banned from the page through Facebook settings.
- **Staying committed.** Families are encouraged to keep up with their page. They don't need to post every day or every week, but should make it part of their routine at a frequency with which they are comfortable.

**Using Facebook to raise awareness** Facebook offers many tools to help families communicate with close friends and family members or more broadly with their community. Using these tools can help raise awareness and visibility about a missing child.

### **Immediate first steps should include:**

- Posting a message on family members' Facebook timelines noting their child/family member is missing. Upload a recent photo of the child and include any additional information about what the child was wearing and where he or she was last seen, directing viewers to call law enforcement with any information they have about the child. **Ask family friends and the child's friends to share the status. Set the audience for the post to "Public" and ask friends to do the same.** **Note:** When sharing something with the public, anyone, including people off of Facebook, can see it. This will maximize the number of people who can see and share the post. **Also note:** People cannot share a profile. Facebook only allows one profile for each person.
- Utilizing social media conducted by others. When a missing child is reported to NCMEC, a missing child poster can be created. The upper right hand corner of that poster contains various methods of sharing the poster. Activating the Facebook icon will automatically share the poster on a family's Facebook page if connected to the Internet and Facebook.



- Checking the missing child's social media pages for any activity, including Facebook and Instagram, for any ideas about where he or she was going or people he or she planned on meeting.

**Groups** are private spaces where families can connect with specific sets of people and share updates, photos or documents. Creating a group can help families bring together close family members and friends. And doing so will keep them updated about the missing child's situation. To keep this information private, there is an option to create a closed or secret group. Learn more about the privacy options for groups and how to create a group by visiting [www.facebook.com/help](http://www.facebook.com/help).

**Pages** allow families to share their story and connect with people in a public environment. Families can use a Page to broadcast updates or photos and try to gain visibility in the community by publicly asking for help in recovering the missing child.

As an administrator of a Page, families can also review any content posted to that Page, respond to people and remove any unwanted comments. Learn more about posting to a Page, replying to comments and removing comments or banning people by visiting [www.facebook.com/help](http://www.facebook.com/help).

### **Law enforcement considerations when working with families**

Since law enforcement will use multiple sources to help with a case, especially if the missing child has a Facebook or Instagram account, the family liaison will want to explain to the family the steps the law enforcement agency is taking to request records from these entities in order to aid in the investigation. Families can aid law enforcement by providing the child's online account information. If the specifics for any of the missing child's online accounts are unknown to parents, it is suggested the missing child's siblings or friends be asked to help find this information. **Note:**

Families should know Facebook, and similar companies, can't always review or respond to non-law enforcement officials regarding these requests.

**Press conferences** When a child is missing, the goal is to spread the word quickly to get maximum help. This becomes a force multiplier. Law enforcement can talk about what happened; however, there is no better advocate than the parent or other family member to speak out about the missing child. Hearing directly from the parent will help audiences connect with the missing child and the family's situation. It will also help reinforce the message, "We will never stop looking." The family member doesn't need to have public speaking experience to get the message across. Simply speaking from the heart can motivate people to look more closely at the missing child's picture and search harder. Explaining how the child is deeply missed, and including a plea for help in finding the child can be extremely effective. As mentioned in "Chapter 5: Child abductions involving long-term confinement" beginning on Page 109, parents and other family members should keep in mind there have been situations in the past in which the missing child saw the media event. Delivering the message the child is loved and missed and the family and law enforcement will never stop searching is vital. As mentioned earlier, law enforcement and the family should keep in mind: Someone out there knows something. The goal of media is to reach that person and convince him or her to call law enforcement with that information.

If a news conference is held, it's a good idea to create an informational package for distribution – especially if the family is arranging the press conference on their own. This will help ensure important information is distributed and not missed. All information should be date and time stamped so reporters can keep track of the most up-to-date details.

At a minimum packets should include:

- Images of the missing child, the most recent and clear ones available. Include both a close-up and full-length images if possible. If the missing child's case is long term include a NCMEC age progressed image of the child.
- Description of the missing child including what the child was wearing at the time last seen, the child's physical characteristics, and any unique identifiers or descriptors to help make the child stand out from others.
- Information about where the missing child was last seen. Give details including the time and location markers. If possible create a sheet detailing the timeline of the day the child went missing.
- Information about any important related information such as a suspicious car nearby or anyone last seen with the child.
- Number where people can call with possible leads. This may be your local law enforcement agency or the NCMEC at 1-800-THE-LOST® or 1-800-843-5678.
- Reward information if any.<sup>118</sup>

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<sup>118</sup> NCMEC serves as a clearinghouse for the collection and dissemination of leads and sightings received of missing children to appropriate law enforcement agencies. NCMEC neither endorses nor assumes responsibility for any reward fund.



- Addresses of related websites where people can find the latest information about the missing child's case. This could be the Facebook page or blogs previously mentioned.

If the case becomes a long-term missing case, there are still things that can be done to help keep the media interested in covering the story. For example certain types of information or developments can sometimes be released in separate announcements. Consider doing this in order to stretch out news coverage over a longer period of time. Remember everything does not have to be released at once. And different steps may happen at different times such as the institution of a reward for information related to the case. Since this may happen weeks, months or even years after the date the child was last seen, an announcement made at that later time could be used to try to generate renewed media interest.

The most important thing is to keep the missing child's story in the public's eye. Presenting the child's story in a different way, makes it more likely to be used or aired by the media.

Remember media attention can increase when special events are held such as at the time of the child's birthday or on the anniversary of the missing date. Because holding such events and activities give the media something to cover, the family liaison should remind families of the power of this activity if they are not already planning on such events. Examples of such events include candlelight and balloon vigils. Below are images from a candle light vigil held by a family. And the media may be drawn to families talking about how these dates are different and difficult without their child.



Photos by Jordan Jackson, and used with permission. All rights reserved.

This is a great way to get the message of the missing child out there. These vigils can be done in public areas, such as parks or public properties with the permission of the relevant authorities. Consider inviting public figures, representatives from the missing child clearinghouse or other child advocates in the area.

**Figure 8-7**

**Event with special meaning for searching mother**

"My candle and balloon vigil are what mean the world to me."

Searching mother of a child missing since December 2003.

At some events families will attach bookmarks to the balloons used. The bookmark can contain photos, including an age progressed image if available, and all of the information described above. This can be a cost effective way to spread information about the missing child. In one instance a bookmark was literally found hundreds of miles away. There also needs to be information about who to contact with leads or information, such as the investigating law enforcement agency and/or NCMEC at 1-800-THE-LOST or 1-800-843-5678.



**Photo by Jordan Jackson, and used with permission. All rights reserved.**

Additional ideas to share with families, if they have not already considered them, include:

- Tying the missing child's story to something that will be broadcast repeatedly such as a popular song on the radio. Then every time the song plays, it will be a reminder the child is still missing.
- Getting the community involved. For example was the missing child on a sports team? Can that team play a game in honor of the child? If so create items such as buttons, wristbands or colored ribbons with the child's picture and have attendees wear them to the game and team players wear them during the game.



- Enlisting the support of a celebrity in the community, local politician, local personality or some local person who is close to the investigation. This can be the school principal, town mayor, fire chief, local prom queen, church leader or anyone who has influence in the community. The goal is to reach as many people as possible. Over time parents may want to consider this involvement as a new way to raise awareness for their child's case. Securing help from people of this nature can give the story a new look and change the tone of the interviews just by bringing in someone new to discuss the case.

**Remember: The family is in charge of the media event they create** While the family is in charge of any media event they create, the family liaison should lend as much help and support as possible. For instance help families be aware of media deadlines and other scheduled activities when planning the media event. Help them choose a convenient meeting spot keeping in mind details such as:

- Is the location close to or far from the missing child's family home?
- Are there parking considerations or constraints at the location?
- Can the family exit quickly if needed?

Help the family ensure the location also works well for the media:

- Will there be enough parking and space for large satellite trucks?
- Will media crews be in the way of investigators?
- Is there access to electricity, Wi-Fi and restrooms?
- Could weather or climate be a factor on the anticipated date?

Remember to remind families why they are talking to the media. Continue to help them know what to say and how to **stay on message** during the event. Offer to help them practice, if possible, and remind parents of the key tips below. Parents should:

- Direct a message to their missing child. Parents should tell their missing child how much he or she is loved by them and how they will never stop searching while emphasizing how much

he or she is missed. A missing or abducted child hearing the parent's message, through the media coverage, may be empowered to speak up, get help or even escape.

- Direct a message to the public. We never know who holds the puzzle piece or has the lead to solving the missing child's case. When speaking out, try to reach potential witnesses – those who may have information about the initial circumstances under which the child is missing. And in long-term cases, it is important to try reaching out to both those originally involved in the child's life and those who may come in contact with the child or an abductor since an abduction. Those originally involved in the child's life may now remember something previously forgotten or be willing to share what they know after the passage of time. And the message is also important to reach community members such as the gas meter reader, the postal carrier or any other who might be in the area where a missing child is now located. An impassioned plea from a parent may give these witnesses a reason to come forward with the needed information.

In regard to messages to an abductor, law enforcement should consider the information found in the "The offender" Subsection beginning on Page 120.

**Related guidance for investigators: Overcoming challenges when family members are suspects** As investigations progress family members, especially parents or primary caregiver, may come under scrutiny, and it could be necessary to investigate them as suspects. The unfortunate reality is some children are killed by family members and in an effort to conceal the crime they report the child as missing or abducted.

For the investigative team the principle of seeing everyone as a suspect until ruled out is a normal course of action in an investigation, especially in the case of child abduction with no known witnesses. But family members who are focused on searching for and finding their child may not understand being investigated and interrogated as a criminal. For them this is exactly the opposite of the criminal justice standard everyone is considered innocent until proven guilty. If the process of eliminating family members as suspects is not explained, this might set up an adversarial tone resulting in their refusal to cooperate. While this is not necessarily a sign of guilt, it may obviously become a complication for investigators.

Once law enforcement explains the purpose of investigating them as suspects, family members may be willing to comply and want to expedite the process. Most family members do not want to be an impediment or even slow the progress of the investigation or search for the child, even at a time they may need to assert their own constitutional rights. Families also want to continue being proactive in the search so investigating them as suspects is better done early on.

Parents will often volunteer to provide detailed statements about their activities; take polygraph examinations; allow the collection of biometrics on the child and from themselves such as fingerprints, DNA and dentals; and permit searches of their home and the child's bedroom if these procedures are explained. If family members are eliminated as suspects, it is good to be upfront with them and embrace them as partners in the search and investigation. It is also

important to let the media know, if the family has been removed from current investigative consideration. Law enforcement can also play an important role in squelching rumors that can arise during an investigation, or be raised by members of the community for negative reasons. Law enforcement can play a strong role in eliminating those rumors.

In cases when a family member proves to be the perpetrator or complicit in the missing episode, the rest of the family members should not be unnecessarily treated as suspects simply because of the family relationship. Innocent family members often perceive they are being judged unfairly by law enforcement even when they were not. The family liaison can help reverse this misperception. It is important to remember some of these family members are still experiencing extreme emotional issues that will be compounded once the accusations are revealed.

Investigators should be careful not to discount reports from families with less than ideal backgrounds or who have had their own brushes with the criminal justice system. Family circumstances may heighten risks to a child but it does not always mean a family member is involved. High-risk children may become abducted and victimized too. Regardless, certain family dynamics or dysfunction might make the case more complicated requiring extensive additional investigation and may even be cause for a more vigorous search given the child's heightened vulnerability level. Have empathy for high-risk missing children and those referred to as **kids who never had a chance**.

**Figure 8-8**

Case summary: Nonfamily abduction uncovers previous abuse and trauma history	
Before the age of 10 a child survived physical, emotional, verbal, mental and sexual abuse. She then made national headlines when a close family friend abducted her and held her captive in an underground bunker. After an extensive search, the abductor finally broke down and confessed. The abduction changed this child's life forever in many ways, including creating an opportunity for a better life. After her abduction, she was placed in a foster home where she received love, support, stability, structure and psychological care. Later, in a speech this young woman stated, "In some ways, my abduction was the best thing to happen to me." It exposed the abuse she was suffering at home and provided her with a chance at a better life.	
Teaching points	
<ul style="list-style-type: none"><li>■ Assigned investigators may not know the backgrounds of these families, and following leads may uncover additional concerns as well as criminal activities.</li><li>■ Marginalized families are sometimes at greater risk and may be cause for a more vigorous search. Avoid discounting children from less than pristine backgrounds.</li></ul>	
Lesson learned	
Law enforcement interventions may be the catalyst to save a child from adverse circumstances, which happened before the abduction.	

Investigators should keep in mind the reactions by family members, especially parents, under stress will vary and may not always be indicative of whether they are involved in the missing episode. An overwhelming theme by parents in the responses to this topic was law enforcement had not explained to family members the procedures being followed or the purpose of the

procedures. Further, law enforcement did not afford families the opportunity to give input about what would be the most comfortable way in which they could accomplish the procedure. Family members agreed the more they understood the procedures and purpose for them, the more comfortable they were in fulfilling law enforcement requests and the less resistant they were to the interaction. In short they were more cooperative when they understood what was happening and why. They further stated siblings of the missing child should be engaged by law enforcement and recipients of these explanations as well when appropriate. Families and recovered missing children alike stated a solution to this problem was to assign one law enforcement personnel as a family liaison.

**Figure 8-9**

<b>Case summary: Young adults go missing too</b>	
<p>In 2003 an 18-year-old teenager went missing. Her family indicated at the time she was struggling with depression and living with her aunt. The teen stopped by her mother's home a few miles from the aunt's home, but her mother was asleep. The teen then spoke to her brother but did not take any belongings with her. The next day the teen did not call home, which was unusual as she called to speak with her mother everyday while living with the aunt. This prompted the family to call law enforcement, but law enforcement assumed nothing was unusual since she was 18 years old and appeared to have left on her own.</p> <p>Detectives did not think foul play was involved, but the mother thought otherwise because her daughter always stayed in touch with the family and had never run away before. Sometime after the teen was last seen, the mother found a disturbing voicemail message from her daughter. In the message the teen was crying and sounded hysterical and distraught. She tried to communicate something, but her crying made it hard to understand what she was saying. There was a male in the background calling her names. As he shouted, she cried harder. Then the message was suddenly cut off. The family immediately called law enforcement. Law enforcement made a copy of the message, but lost the recording sometime later. The family continues to search for their missing child.</p>	
<b>Teaching points</b>	
<ul style="list-style-type: none"> <li>■ Investigators should be careful not to discount reports from families with less than ideal backgrounds or who have had their own brushes with the criminal justice system.</li> <li>■ Investigators need to follow-up on every lead and maintain evidence as the possible key to solving cases.</li> </ul>	
<b>Lessons learned</b>	
<ul style="list-style-type: none"> <li>■ Family dynamics and vulnerabilities often increase the risk for children and require a dedicated response by law enforcement.</li> <li>■ Vulnerable families may be more willing to cooperate and participate with law enforcement when procedures are explained.</li> </ul>	

**Supporting families during identification** Law enforcement professionals often must notify families of the death of a loved one. This task is more difficult when a missing child's remains are located. Regardless of the passage of time across the span of a long-term case, notifying family members is a daunting task requiring sensitivity. Time does not diminish the impact this news may have on family members who have been searching a long time for answers. As mentioned before, collecting biometric data early or at the start of a case is not an abandonment of hope, just another investigative tool used to help provide answers.



Below are some considerations to best support searching families when a child's remains are discovered:

- Deliver all death notifications in person after becoming familiar with essential details concerning the deceased child, to include full name, age, race and home address, as well as all relevant details including the location of the body. The law enforcement member closest to the family, preferably the family liaison helping the family throughout the duration of the case, should be present for the notification.
- Notify the family if unidentified remains are located. It is best for the family to be notified before learning about this information via the media. When unidentified remains are reported in the news, families tend to fear the worst and think it could be their loved one. Thus provide as much information as possible to the family while identification is being determined.
- Have in place the professional assistance needed in the event a positive identification is made. The family liaison's presence as well as potential support professionals and/or clergy is advisable. The family liaison should not leave after notification until confident the surviving family members have the appropriate additional support such as family members or close friends readily available.
- Understand the grieving process may look different for each family member. Be prepared for a range of emotions. Mental health experts indicate there are four tasks related to mourning, which are to accept the reality of the loss,<sup>119</sup> process the pain of grief,<sup>120</sup> adjust to a world without the deceased<sup>121</sup> and find an enduring connection with the deceased in the midst of embarking on a new life.<sup>122</sup> Although the tasks do not need to be addressed in a specific order, there is some ordering suggested in their definitions.<sup>123</sup> Individuals may experience these in different orders and each member of a family can experience these at different times and in different ways.
- Be clear, specific and direct when sharing information with the family about the located child.
- Help families understand next steps, what to anticipate from the medical examiner's office or coroner, and how law enforcement will be working with the family.

**Figure 8-10**

**Case summary: The not knowing was the worst**

As stated by the parent of a missing child who was located deceased, "My 17-year-old son went missing in 1999 and never returned. The day after we last saw him, I called law enforcement but was told he was probably 'just another runaway.' Our family was told to just wait for him to come home. Six days later we went to the media, which led to many leads. For weeks we waited for law enforcement to act on those leads, enter my son's information into the National Crime Information Center database and send out rescue dogs. For the following year and a half, we pursued every lead, rumor and tip until June 2000 when my daughter heard on the radio a skull had been found.

<sup>119</sup> J. William Worden, *Grief counseling and grief therapy: A handbook for the mental health practitioner* (New York: Springer Publishing Company, 2009), 39.

<sup>120</sup> Worden, *Grief Counseling*, 43.

<sup>121</sup> Worden, *Grief Counseling*, 46.

<sup>122</sup> Worden, *Grief Counseling*, 50.

<sup>123</sup> Worden, *Grief Counseling*, 39.

"Law enforcement concluded the skull belonged to my son, but they would not search for the rest of his remains. We waited nine agonizing years for positive DNA identification of his remains and on that day, our questioning, searching and nightmare were over. I brought my son home."

#### Teaching point

Remain positive and open and follow up with the family's questions and concerns. When law enforcement is perceived as being **dismissive** to a family, this leads to them feeling as though there is no hope for their child and no one is fully investigating their child's case.

#### Lessons learned

- Collecting biometric data can help identify missing children once found, lead to providing vital answers for searching families and assist families in being reunited with their missing child whether found alive or deceased.
- Conducting a risk assessment for each case as each child is reported missing is a critical step law enforcement needs to take. For more information about this step see "Chapter 3: Investigative practices, policies and principles" beginning on Page 36.

Figure 8-11

#### Parents wanting to know

"The day in and day out of not knowing was the most difficult part. [My] thought is, even if it's the worst outcome possible, you want to know as soon as possible."

Parent of a long-term missing child.

**Language and terminology** Law enforcement has many challenges to face when investigating long-term cases. Sensitivity to terms and language used is an additional consideration when helping families. Families of missing children may respond differently or not at all to some of the terms used by law enforcement. Having an understanding for and sensitivity about this is another tool law enforcement can use to enhance and strengthen important relationships with searching families.

Closure is a term often used in the media and by professionals. It can be a highly emotionally charged term, however, for families. Closure implies an end, some finality, a closing of a door or chapter and may bring about negative emotional reaction by searching families. Closure implies a feeling or bad experience has ended and a person can start to live again in a calm and normal way. Some parents of missing children and their families say this term does not apply to them. They will report there is never an end and never a return to normal, even when the outcome is negative. It is important for law enforcement, family liaisons and others communicating with family members to be sensitive to using this term. An option is to use terms such as providing the family with answers or justice.



Figure 8-12

**Victim family members' concern with use of the term closure**

"You know, everybody uses this word closure and banters it around. ...I don't have any closure and most parents of murdered children or crime victims don't really have closure because your life is changed forever by that event."

John Walsh, parent of an abducted and murdered child and co-founder of the National Center for Missing & Exploited Children.

Family liaisons used in cases involving long-term missing children will begin to understand the needs of the families involved. And they may be able to help families navigate important milestones, such as birthdays and holidays, that may trigger strong emotions. Some families use the term anniversary for the day their child was last seen. Other families prefer the term marker date. These two terms may hold many emotional meanings for searching families.

Missing children come home every day and long-term missing children are no exception. When a child has been found alive and identified, the child is recovered or rescued. When a deceased child has been identified via biometric data, the child has been located. Law enforcement professionals need to carefully consider how families may react or respond to the use of these words.

Some children experience sexual exploitation while they are missing. Abducted children may be taken for sexual gratification or in runaway cases may be lured into exploitive situations. It is vital for law enforcement professionals to remember children victimized through sex trafficking, child pornography, online luring and grooming or sexual abuse are **victims**. They may not self-identify as victims and may be combative or unhelpful toward law enforcement once found for a variety of reasons. Sensitivity in all aspects of these cases is needed, and understanding the victimization of each crime will enhance empathy and patience. When referring to a child victim of sex trafficking, avoid using such terms as prostitute, child prostitute or the like as it connotes the child was in some way responsible in the crimes committed against him or her. Understand the language used by these children as well. Children may view their exploiter as a love interest, boyfriend or significant other. Breaking down that relationship and the impact of that trauma often requires many therapeutic interventions.

Many victims, once away from their exploitative situations and recovered, will no longer wish to be viewed in that victim dynamic. Survivors emerge from victims over time. As survivors learn self-advocacy and have post-traumatic growth, they may then move on to thrive. This journey is a process and must be driven by the child or adult victimized as a child. Law enforcement must remember, given the appropriate support and resources child victims have the resiliency and potential to lead happy and healthy lives. Law enforcement plays a critical role as first responders to the overall recovery experience for child victims. Being believed, listened to/heard and supported make all the difference in the life of a child.

## Law enforcement and incident's impact on the community

Law enforcement should expect a high-profile missing child incident to impact the entire community. Each community may respond or react to the missing event in unique ways. One way law enforcement can involve a community is by educating about what to watch for and do during these events. This knowledge assists the community to feel empowered and not helpless. When considering how the community may respond to a long-term missing child case without a recovery, one parent described how difficult it is for a community to know what to do. Families expect law enforcement to maintain continuous positive interaction which, when observed by the rest of the community, increases the possibility of their involvement. Law enforcement can encourage community involvement by attending vigils, providing prevention messaging and conducting child fingerprinting and DNA collection activities. Law enforcement's presence at these events also shows the community and family they have not forgotten.

Figure 8-13



The general response from parents to this topic area was that if law enforcement works to include the community while investigating the missing event, they are also responsible for helping the community heal should the event have a negative outcome. An essential element of healing is the feeling of safety. It is law enforcement's number one task to ensure the safety of the community. Families also noted law enforcement's public display of working through their own healing encourages and helps the community heal. Their involvement in vigils and honoring events through the years greatly improves the community's healing process. Author Duane Bowers, a trauma loss therapist, states, "Without healing, the residual fear permeates the community for years, with new generations not knowing when and from where it started."

A missing child case can send concentric circles of impact through families, extended families, neighborhoods and communities. And high-profile cases caught in national media headlines can impact globally. It is vital for law enforcement to remember milestones in the course of a missing child's life will impact and may trigger all these various spheres of influence. Often we hear from family members and schoolmates of long-term missing children at marker events, proms, graduations and weddings. These milestones may not be grief so much as new triggers for loved ones. These are significant to the community, and the family liaison must be cognizant of their potential impact.

**Figure 8-14**

<b>Case summary: A community mourns</b>	
<p>Law enforcement received a call about a vehicle fire. When they arrived on the scene to investigate, they discovered a ransom note and a missing child. During the course of the investigation, it was determined this child had been missing for several weeks before being reported as missing. Prime suspects quickly became the child's father and stepmother. This investigation led law enforcement in multiple directions with unreliable and uncooperative witnesses, only to lead to the conclusion this child had been murdered and dismembered with various body parts placed throughout their county. Law enforcement officers dedicated countless hours to the search for and location of this child's remains, and, as the case unfolded, it was clear this child suffered abuses before death. Officers felt a personal duty to lay this child to rest, often sacrificing their own needs such as rest, food and other necessities to find this child. The entire community mourned her death, and law enforcement felt a duty to bring forth justice for this child.</p>	
<b>Teaching points</b>	
<ul style="list-style-type: none"><li>■ Law enforcement used resources offered by other organizations including the National Center for Missing &amp; Exploited Children's Team Adam deployment program.</li><li>■ Police chief recognized the personal toll this case took on his officers and requested debriefing resources.</li><li>■ Law enforcement held regular press conferences to inform the public about relevant information in the case.</li><li>■ Law enforcement worked closely with community members to ensure safety needs were met.</li></ul>	
<b>Lesson learned</b>	
<p>A team approach proved effective in this case, uniting a community and apprehending a child's killer.</p>	

**Figure 8-15**

<b>Case summary: Still missing 20 years later</b>	
<p>A 6-year-old child was last seen on a baseball field. Throughout the years the child's classmates have grown up, yet this situation still continues to affect this small community. After the child went missing her parents became extra vigilant when sending their other children to school or out to play. Everyone was afraid. In fact the missing child's younger sister would often go to the police station with her mom for updates. The police chief took special care to pay attention to this young child's needs, which increased her sense of security and safety.</p> <p>This child's family continues to search; utilizing social media, foundation support, law enforcement resources and community outreach efforts. This child has been missing for more than 20 years, and the family continues to use new and innovative approaches to keep their child's case active and in the media.</p>	
<b>Teaching points</b>	
<ul style="list-style-type: none"><li>■ Carefully constructed and insistent use of media is an effective advocacy tool to help keep cases active in communities.</li><li>■ Key cooperation between law enforcement and families in long-term missing cases is vital in gaining and building community trust.</li><li>■ Sibling considerations are important. Finding ways to connect with siblings of a missing child can glean information about the case as well as aid in a sense of safety and security for the family.</li></ul>	

### Lessons learned

- Entire communities can be impacted when a child is missing, from the child's family and school to those involved with any activities in which the child participated such as sports teams and religious groups. People in all of those areas need to feel a sense of safety and that law enforcement is continuing to search for the missing child.
- Searching families may experience new triggers as their missing child's peers grow up and experience important milestones.

## Missing child reunification

When a missing child is recovered and subsequently reunited with the searching parent, many believe the challenges a parent experiences during the missing crisis will come to an end as the parent and child are once again together and on their way to a positive outcome. While there are many reunifications with positive outcomes, there are those that will require time, understanding and the assistance of a treatment professional with the skill and knowledge necessary to walk the parent and child through the challenges of a missing child reunification regardless of the duration of the missing experience.

It is normal for family members to rush a reunification, to move ahead in an attempt to put the painful experience behind them. It is often difficult for them to understand the need to exercise patience and allow the child to guide the pace in which the reunification will proceed. The first moments of reuniting with the child are always an emotional one for the parent and can create anxiety for both the parent and child. It is important for law enforcement professionals to plan for these **private** missing child reunifications, **without media**, when there is a credible lead and the recovery of the child is imminent. Making a plan for when a child sees his or her family members, where this will take place, and who will facilitate the interaction is very important, as it creates a foundation for the future relationship between the child and family.

Families and law enforcement professionals are ill advised to handle a missing child reunification alone. A family liaison, victim services professional and/or mental health professional is almost always recommended to help facilitate the reunion between the parent and child, who may have misconceptions about the parent.

Many factors can make an unplanned reunification unsuccessful. Some of these are listed below and should be avoided, or minimized when unavoidable, when the child and family are first reunited:

- Having the child find out his or her searching parent is deceased.
- Having law enforcement limit the reunification to just one family member such as the mother or father but not both.
- Having family members reacting in shock, horror or disgust about what happened to their child.
- Interrupting the moment when the child and family are first reunited with a media presence.
- Selecting a poor meeting location, such as interrogation room, containment area or other public location, in which family members are not able to reunite in private.

- Neglecting to warn about significant change in physical appearance of the child or searching family members during missing time.
- Neglecting to inform the child about what is happening especially if detained for his or her own protection.
- Forcing the child to answer intense questions/be interviewed too soon or immediately upon recovery.

All of these situations have the potential to create confusion and anxiety and may have long-term consequences moving forward.

### **Setting the stage for a positive reunification**

How can law enforcement prepare and plan for a successful reunification? Our child and parent survivors shared tips to help create a positive reunification:

- Have a mental health provider or victim services provider present to speak to the child and family member separately before the reunification.
- Have the child interviewed by a trained forensic interviewer who is following established protocols. If the law enforcement agency does not have access to trained forensic interviewers, the FBI's Office for Victim Assistance has trained interviewers and established protocols. For information about these trainers and protocols visit [www.fbi.gov/stats-services/victim\\_assistance](http://www.fbi.gov/stats-services/victim_assistance).
- Search for ways to ease anxiety and fear while building rapport.
- Ensure the chosen location is private and away from the media and public.
- Explain to the child what is happening.
- Explain to the parent what is happening.
- Allow time for the child and/or family members to process what they are being told and what they are preparing for.
- Allow everyone a chance to ask questions.
- Answer questions as honestly as possible.
- Give survivors as much control as possible, and ask them what they feel comfortable with throughout the process.

The relationship law enforcement has worked so hard to maintain with the family throughout the missing time period is incredibly important here. The family should be able to trust law enforcement is knowledgeable, prepared and ready to guide them through reunification. There are many resources available to assist with planning. NCMEC's Family Advocacy Division coordinates a voluntary network of providers available across the country able to assist from the onset of a case when a child goes missing to the reunification moment and beyond. They can be reached at 1-800-THE-LOST or 1-800-843-5678.

**Figure 8-16**

<b>Case summary: Missed opportunities</b>	
<p>A recovered child stated during her abduction as a young girl she wondered why people weren't looking for her. She felt like she should have been easy to find, there should have been ways people figured out who she was. Finally her rescuers came. Law enforcement officers were questioning her abductors, she was sure she would be rescued. But she wasn't. Her abductors convinced law enforcement she wasn't the missing child. "They were right there, I was right here, how could they have believed my kidnapper?" Finally rescue did come and she was able to reunite with her family. But only her dad was at the initial reunion. After being missing and abused for months, there was nothing she wanted more than to see both her parents. She believed law enforcement cared only about getting information out of her so they could charge the kidnappers. She was interviewed for three days straight after her reunification.</p>	
<b>Teaching points</b>	
<ul style="list-style-type: none"><li>■ Make it a priority to build rapport and help victims feel comfortable. If this opportunity is initially missed, law enforcement needs to learn from this mistake and refocus the priority to prevent any re-victimization and secure needed information for the next steps in the investigation.</li><li>■ Ensure both parents are present for a reunification, if possible.</li><li>■ Have victim services and mental health support available.</li><li>■ Let the child determine the pace of the interviews. The child is the first priority.</li><li>■ Allow time and space for a family to reconnect and recover from the trauma of what has happened.</li></ul>	
<b>Lesson learned</b>	
<p>Stay involved with a family when there will likely be additional media, trials and testimony required. The family needs law enforcement to be a steady, stable presence.</p>	

### **Challenges when sexual exploitation is involved**

Each missing child case presents unique sets of challenges to support a family while the child is missing, located or recovered. When sexual exploitation has occurred while a child is missing or abducted, law enforcement has many priorities to consider. Concern for the child's health and assessing the victim's medical needs are paramount, not only for important potential evidence collection but also for the wellness and relationship building needed to support the child victim.

Child sexual abuse and exploitation may be referred to as complex trauma and may complicate investigations as well as reunification and recovery work for the family. Child sexual exploitation may take the form of child sex trafficking, child sexual abuse images or online enticement with elements of grooming or luring. Complex trauma leading from repetitious sexual assaults or violence may lead to post-traumatic stress disorder. In cases involving recovered long-term missing children there may be feelings of confusion, guilt and shame. Sexual abuse and sexual assault are historically underreported crimes and disclosures may occur much later, sometimes years or decades later. For some child victims the choice to disclose was made for them by their recovery or by physical evidence of the crime.

Figure 8-17

Case summary: A fight for survival
A 13-year-old boy recounted he was lured and kidnapped by a sex offender while walking to a convenience store from his family's home. After asking the teen for help moving furniture, the adult male, who was armed with a knife, abducted the boy and drove him 20 miles away to a deserted logging road. There he forced the child into a buried wooden box, roughly 4 feet by 4 feet by 7 feet, which became a torture chamber. On the eighth day of captivity the child heard some passing hunters, managed to push the lid of the box up, yelled for help and was rescued. His frantic family was relieved to have him home alive, but also heartbroken at the toll this torment had taken on him. "There was an emptiness in his eyes," said his sister upon recovery.
Teaching point
Treating every survivor with dignity is critical. Treating victims with respect, honoring their decisions and giving them some sense of control over what is done post-recovery is helpful for their overall healing and to fully investigate the crimes committed.
Lesson learned
Children who are victims are children first. Their behavior, clothing and appearance may belie this and they may be combative. Relationship and rapport building is critical.

Figure 8-18

Victim discomfort during recovery interview
"The most uncomfortable thing was my mom was there, and I didn't want to talk about all that happened in front of her. The child shouldn't feel trapped and shouldn't have to tell their mom they don't want them in the room."
Survivor of abduction and sexual exploitation.

### Reintegration: Moving forward

Survivors discussed the difference between reunification and reintegration. They described reunification as the initial reunion and reintegration as the process moving forward. During reintegration, survivors are trying to find what is called their **new normal**. They are searching for something to help them process the past while still looking ahead to the future. Everyone believed law enforcement continues to play an important role in this process and everyone wanted to have one law enforcement contact they knew was theirs, for whatever they needed. For the once searching family members, that could be the law enforcement family liaison who worked with them while the child was missing. For the survivor, there is no foundation of trust or history of helpfulness with that person, but they will desperately want and need to know who they can rely on to assist with the court process, testimonies and the media. And, if a survivor has been forced to change his or her name, the new name may be the one with which he or she now identifies. Respecting that is very important. The message to law enforcement is clear and that is missing children do come home and the role law enforcement plays when a child is missing **and** recovered has a lasting impact on everyone involved. This is a complicated process, and help should be sought from victim assistance programs.



**Figure 8-19**

<b>Case summary: Children tend to believe what they are told</b>	
<p>A recovered child, who was taken when a young boy, recounted during his abduction he believed when found he would be arrested. His abductor told him the missing pictures he saw meant people were looking for him because he was in trouble, not because he was missing. When that day finally came and his abduction was over, he was terrified of law enforcement and what they would do to him. Although he remembered he had a mom, he had no idea if she was looking for him or not. When he was getting ready to see her, he was confused, "Where was she this whole time?" he asked himself, and "What would she think about me now?" Law enforcement allowed the media to be present during the reunification. As the victim looked around, he saw excited, happy faces. Everyone was filming and running to catch the family's precious moment. The victim didn't know what to do or how to act, so he looked around and did what everyone else was doing, he smiled and acted excited. Inside he was terrified and subsequently learned lying in that instance was his way of coping.</p>	
<b>Teaching points</b>	
<ul style="list-style-type: none"><li>■ Plan for the unknown. Initially law enforcement will not know what might have been told to an abducted child during the time when missing. Abductors can tell untruths about law enforcement, searching family members or the community. Plan for this and expect a child will believe what the abductor said until helped to learn otherwise.</li><li>■ Help the child find answers for his or her questions about searching family members. This is one of the best things law enforcement can do.</li><li>■ Prevent the media from interfering in reunifications. Reunifications are best kept private. Media events can be overwhelming for the process.</li></ul>	
<b>Lesson learned</b>	
<p>Assume the outward response children give during this time may not match the inside response they have become skilled at hiding.</p>	

**Figure 8-20**

<b>Case summary: "Why is no one looking for me?"</b>	
<p>During her kidnapping a young girl recounted she dreamt of the chance to make it back to her family and feel loved and safe. She told many different people she was a kidnapping and rape victim from the U.S. but no one in Mexico believed her. Unfortunately her U.S. missing person's case was closed out by law enforcement in error. When she finally made it back across the border as an adult, she attempted to find her family. She searched online and posted, in chat rooms, her name and the names of the family members she was searching for. She struggled during this time and wondered, "Still no one believes me, why is no one looking for me?" Her brother happened to find some of these online postings and called law enforcement. She was recovered after being missing for 18 years. When she finally reunited with her brother she brought with her four children born of the crimes she endured and learned her mother had passed away. She had no place to live and needed a tremendous amount of assistance.</p>	
<b>Teaching points</b>	
<ul style="list-style-type: none"><li>■ Closing this victim's missing person case prevented law enforcement from being able to identify her as a missing child. Create checks around names/DOBs and other identifiers as safeguards against errors such as this occurring with a case.</li><li>■ Ensuring victim services and local agencies are in place to immediately address victims' basic needs helps to build their trust with law enforcement.</li></ul>	



- Understanding children and adult survivors may be distrustful or afraid of law enforcement and other authority figures based on their prior treatment, work toward rebuilding trust with those victims once they are recovered.

#### **Lesson learned**

A victim's needs may be complex. When mistakes are made in cases, providing victims with information and compassion go a long way to mend relationships.

In several recent long-term recoveries, children born to the original child victim while in captivity have also been recovered. These recovered children and the now adult survivor may be reintegrating into the victim's original family. In every scenario special considerations are needed to respect the relationships of survivors with their offspring and allow them control over what is told and how information is shared with their children.

**Figure 8-21**

#### **Case summary: "I never forgot my name"**

A young girl recounts she was kidnapped when walking to her bus stop. No one saw it happen. For her family she was there one minute and gone the next. Her mom's world turned into searching, looking for days, weeks, months on end. Sadly months turned into years and eventually the mother turned to hoping, praying her daughter would find her way back home. This young girl was kidnapped and held for 18 years. She was kidnapped as a child and returned a woman. She was kidnapped before experiencing puberty and was recovered having birthed two daughters. She was forced to live another life as another person and lie to everyone around her. But, she still remembered her mom and wondered, "Does she still believe I'm here? Does she know how much I think of her?"

When she was recovered, police officers separated her from her abductor and she was asked to speak her name. She initially gave an alias; the name she was told to use by her abductor. Law enforcement then said, "We know who you are, you just have to say your real name." Relieved from the burdens of holding on to his secrets, she was finally able to share her true identity and remember who she really was.

#### **Teaching points**

- Law enforcement needs to separate a victim from his or her possible abductor when being questioned. This is critical as the physical distance created may provide the emotional distance needed for the victim to take advantage of the opportunity to be found.
- Law enforcement should be aware of victims' needs and request appropriate services.
- Law enforcement may be called upon to help the searching parent develop a travel plan when recovery occurs to reunify the family as quickly as possible.
- Law enforcement must explain procedural steps and provide appropriate information to family members to assist in moving forward.
- Law enforcement may play a pivotal role for families by providing support, reassurance and a helping hand whenever needed throughout court hearings and during media interest.

#### **Lesson learned**

Interventions for survivors and their families may help make reunification successful.

## **In closing**

In this chapter law enforcement professionals have been offered lessons learned and teaching points based on real life experiences from family members of missing and/or sexually exploited children and survivors, as well as mental health professionals and members of the law enforcement community. A delicate balance has been sought to honor the experiences of these families while striving to make sense of missteps and missed opportunities. More than anything, these family members and survivors want to pass along the following message, “You matter. We rely on you. We trust in you. We need you.”

Thank you for your commitment to finding children and for building a bridge between the criminal investigation and the family. It is the building of a relationship that matters, through the best of times and the worst of times. Hold onto hope for the families of missing and sexually exploited children, sometimes that is all they have.

# Appendix

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## National Center for Missing & Exploited Children®

The National Center for Missing & Exploited Children or NCMEC was established in 1984 as a private, nonprofit organization. Per 42 U.S.C. § 5773 and other federal statutes, NCMEC is authorized by Congress to perform 22 core functions including the operation of a national, 24-hour, toll-free telephone line by which individuals may report information regarding the location of a missing child and request information about the procedures necessary to reunite a child with his or her legal custodian; operation of the national resource center and information clearinghouse for missing and sexually exploited children; provision of technical assistance and training in the prevention, investigation, prosecution and treatment of cases involving missing and sexually exploited children; and operation of a CyberTipline® for reporting Internet-related, child sexual exploitation.

A 24-hour, toll-free telephone line, **1-800-THE-LOST® or 1-800-843-5678**, is available in Canada and the U.S. for those who have information regarding missing and sexually exploited children. The phone free number is 001-800-843-5678 when dialing from Mexico and 00-800-0843-5678 when dialing from many other countries. For a list of other toll-free numbers available when dialing from specific countries visit [www.missingkids.org/Hotline](http://www.missingkids.org/Hotline). The CyberTipline is available worldwide for online reporting of these crimes at [www.missingkids.org/cybertipline](http://www.missingkids.org/cybertipline). The TDD line is 1-800-826-7653. The NCMEC business number is 703-224-2150. The NCMEC fax number is 703-224-2122. The NCMEC website address is [www.missingkids.org](http://www.missingkids.org).

For information about the services offered by NCMEC's other offices, call them directly in California at 714-508-0150, Florida at 561-848-1900, New York/Buffalo at 716-842-6333, New York/Capital Region at 518-812-6833, New York/Mohawk Valley at 315-732-7233, New York/Rochester at 585-242-0900 and Texas at 512-465-2156.

To learn more about the existence and nature of programs being carried out by federal agencies to assist missing and sexually exploited children and their families visit [www.ncjrs.gov](http://www.ncjrs.gov) or call 1-800-851-3420 to obtain *Federal Resources on Missing and Exploited Children*, NCJ 231619.

A number of NCMEC publications, addressing various aspects of the missing and sexually exploited child issue, are available free of charge in single copies by contacting the

**National Center for Missing & Exploited Children**  
Charles B. Wang International Children's Building  
1-800-THE-LOST or 1-800-843-5678  
[www.missingkids.org/Publications](http://www.missingkids.org/Publications)





# Long-term missing child guide for law enforcement

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  2. Overview of missing children cases
  3. Investigative practices, policies and principles
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  6. Search considerations
  7. The identification of unknown children
  8. Family dynamics and survivor recovery: Understanding the relationships
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